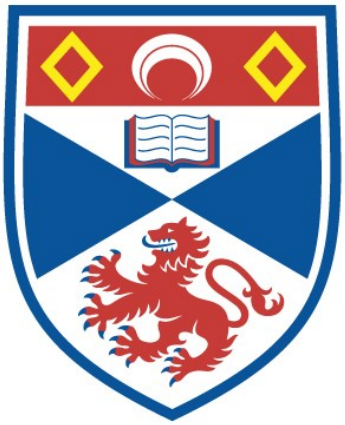
DISCUSSING "HUMAN RIGHTS" : AN ANTHROPOLOGICAL EXPOSITION ON "HUMAN RIGHTS" DISCOURSE

William J. Bajor

A Thesis Submitted for the Degree of PhD
at the
University of St Andrews



1997

DISCUSSING "HUMAN RIGHTS"

An Anthropological Exposition On "Human Rights" Discourse

William J. Bajor

Ph.D. Thesis

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University of Saint Andrews
Scotland (UK)

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Abstract

This thesis examines how the displaced Sudanese in Egypt, Kenya, and the United Kingdom discuss the topic of "Human Rights". Whereas many studies on "Human Rights" are primarily concerned with the opinions of outsiders, an attempt is made here to provide an alternative perspective in that the focus of this dissertation is on how the displaced Sudanese, themselves, discuss "Human Rights" in view of their situation as exiles. The thesis begins by tracing the historical evolution of the 'Western' concept of "Human Rights" and investigating the historical relationship between Anthropology and "Human Rights". Attention is paid to the role of the doctrine of "cultural relativism" in the discipline of Anthropology. After briefly looking at Sudan's geographical and social makeup, I explain the difficulties I encountered as an independent scholar conducting research on "Human Rights" and Sudan. This is followed by descriptions of the fieldwork locations. What comes next is the heart and soul of the thesis. After giving brief descriptions of the interviewees, I analyse how the interviews were conducted and explain how the issue of "Politics" dominated practically every discussion with the interviewees. Next, excerpts from nineteen interviews are presented for the reader to get acquainted with the conversations between the interviewees and myself. Finally, an examination is made of how "Human Rights" is employed as a manipulative device (or tool) by the interviewees. This is essentially the crux of the study. The chief aim of the thesis is to present various ways the notion of "Human Rights" can be (and is) interpreted and utilised by the displaced Sudanese in the context of their own circumstances as exiles.

I, William J. Bajor, hereby certify that this thesis, which is approximately 100,000 words in length, has been written by me, that it is the record of work carried out by me, and that it has not been submitted in any previous application for a higher degree.

date April 9, 1997 signature of candidate _____

I was admitted as a research student in October 1993 and as a candidate for the degree of Ph.D. in October 1993; the higher study for which this is a record was carried out in the University of Saint Andrews between 1993 and 1997.

date April 9, 1997 signature of candidate _____

I hereby certify that the candidate has fulfilled the conditions of the Resolution and Regulations appropriate for the degree of Ph.D. in the University of Saint Andrews and that the candidate is qualified to submit this thesis in application for that degree.

date 9/4/97 signature of supervisor _____

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I am dedicating this thesis to the late Professor Ladislav Holy. Ladislav supervised my work till his death in April of 1997, putting his signature to my thesis just three days before he passed on. Through all of his pain and suffering he maintained the composure to continue guiding me through to the completion of the dissertation. I am forever grateful and indebted for his patience, guidance, and wise judgement.

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Most Thanks to: Ladislav Holy, Shen Pei-jian, Sara Estrella Gil Ramos, and **Peg & Dad**.

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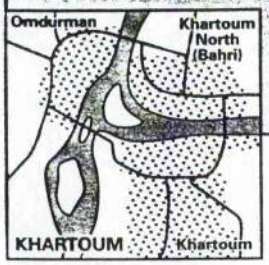
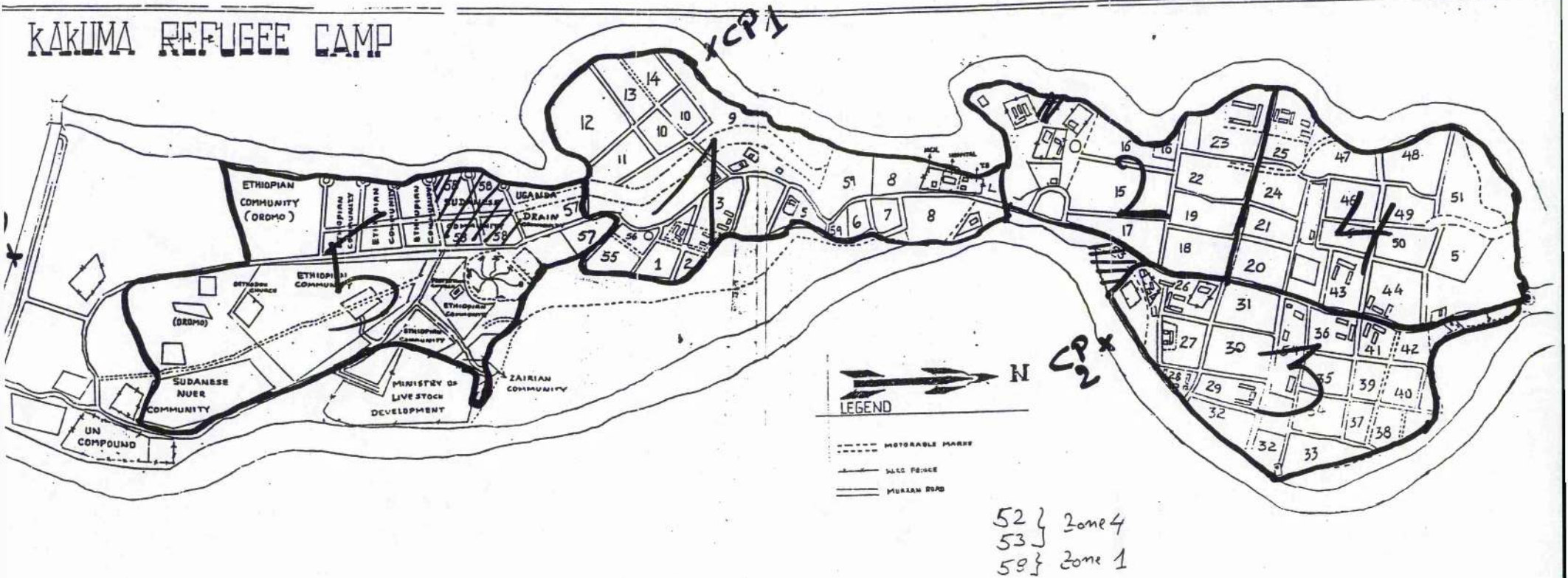


KEY

National boundary
District boundary
Capital city — Khartoum
District name — JONGLEI
District capital city — Malakal
Roads
Built up area
River — River Nile

KAKUMA REFUGEE CAMP



52 } Zone 4
53 }
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Zones 1-4 are completely Sudanese.

Ancestor's Land and the Foe[1]
(I shall not blame the foe.)

by Mourwel Ater Mourwel

You are not to blame.
It is my grandfather I blame,
Because he threw down my fame,
by settling a wandering foe,
The desert ghost,
who believe in a different faith,
Which eventually became my threat.
I you torture me and put me in prison,
Because I reject your faith,
You are not to blame.
It is my grandfather I blame.
He gave you my grace,
And praised you for God's sake,
On the River Nile.
You got your bless,
But he did not know that you will disgrace,
And you were coming to invade.
And that was his mistake.
God gave every person a land,
That he is not supposed to lend,
Because the land in which you are born,
Is the only place you can bow,
To worship God and freely grow.
I shall not blame the foe.
My children were kidnapped all,
And freely sold.
But it is not the enemy's fault,
Because in the past,
My hands were folded,

[1] A copy of the poem was given to me by the author personally. It is from this copy which I quote here.

And my opponent was allowed to grow.
And that was the colonials goal,
But I shall not blame the colonials,
Nor the foe.
It is my grandfather I blame,
Because he gave home,
To a wandering foe,
Who had nothing to owe.
What is the Wisdom?
To give away your freedom,
And let the enemy rejoice,
In your Kingdom?
Oh God!
I beg your pardon,
To forgive the city of the colonial's kingdom,
That send invaders to Africa,
To conquer and take ransom,
To build their kingdom,
leaving us in confusion.
And everything was messed up,
And left in random.
And it was difficult to talk of freedom,
Because everything, all in all,
Goes according to the colonials goal.
And the freedom that we had gained,
Was total pain.
The outcast that would have never reigned,
Was installed to be obeyed,
And he became the Master of the day,
And true citizens were subjected,
To his reign.

Abbreviations

SPLM: Sudan Peoples Liberation Movement.
(Sometimes known as SPLM/Mainstream or SPLM/Torit.)

SPLA: Sudan Peoples Liberation Army.
(Sometimes known as SPLA/Mainstream or SPLA/Torit.)

SRRA: Sudan Relief and Rehabilitation Association.

SSIM: Southern Sudan Independence Movement.
(Formerly known as SPLM/United and SPLM/Nasir.)

SSIA: Southern Sudan Independence Army.
(Formerly known as SPLA/United and SPLA/Nasir.)

SHRO: Sudan Human Rights Organisation (exiled).

AAA: American Anthropological Association.

UDHR: Universal Declaration of Human Rights.

UN: United Nations.

UNICEF: United Nations Children's Fund.

UNHCR: United Nations High Commissioner for Refugees.

U.S.A.: United States.

U.K.: United Kingdom.

NGO: Non-Government Organisation.

PVO: Private Voluntary Organisation.

LWF: Lutheran World Federation.

SCF: Save the Children Foundation.

NDA: National Democratic Alliance.[2]

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[2] The National Democratic Alliance, based in Asmara, Eritrea, is an umbrella organisation encompassing numerous political opposition movements. Included in the NDA are the Democratic Unionist Party (DUP), the UMMA Party, the Sudanese Communist Party (SCP), the Union of Sudan African Parties, the Sudan Alliance Forces, the Beja Congress, the Legitimate Command of the Sudanese Armed Forces, the Sudan

DUP:	Democratic Unionist Party.
NIF:	National Islamic Front.
RCC:	Revolutionary Command Council.
OLS:	Operation Lifeline Sudan.
OAU:	Organisation of African Unity.
NATO:	North American Treaty Organisation.
ASEAN:	Association of South-East Asian Nations.
WCC:	World Council of Churches.
SEOC:	Sudan Emergency Operations Consortium.
NSCC:	New Sudan Council of Churches.
POW:	Prisoner of War.
FGM:	Female Genital Mutilation.

Federal Alliance, the Sudanese Trade Union Alliance, and the Sudan People's Liberation Movement/Army (SPLM/A).

Introduction

This thesis is an investigation of how "Human Rights" is discussed by members of the Sudanese communities of Egypt, Kenya, and the United Kingdom. Many studies on "Human Rights" concern themselves only with the "Human Rights" ideas of the outsider. That is to say the "Human Rights" beliefs of the author and/or organisation generally take precedence. This dissertation attempts to provide a different perspective in that it places emphasis on the views and opinions of the people(s) studied. In other words, the main focus of this thesis is placed on how those affected by crises -in this case, the displaced Sudanese- discuss "Human Rights" with respect to their own perceptions of themselves as exiles.

Research was carried out from October 1993 through the end of 1996. Interviews were conducted in the United Kingdom in May 1994, while those in Egypt and Kenya took place from September 1994 through December 1994.[3] The summer of 1995 was spent in Washington DC., primarily to investigate the resources at the Library of Congress. The rest of the last few years has largely been spent in the United Kingdom.[4]

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[3] I actually left Egypt for the United Kingdom on January 10, 1995. The last interviews, however, were conducted in December of 1994.

[4] In the United Kingdom, research has been conducted in Oxford, Cambridge, Edinburgh, Durham, and the London metropolitan area. My fieldwork will be discussed in detail in Chapters Four and Five.

Although I never set an actual deadline for when I would stop collecting information (books, periodicals, conference papers, etc...), I have had to draw a line in regards to the time period with which I talk about Sudan. There have been some significant political events in Sudan since the end of my fieldwork. Two of note were the 'democratic' presidential and parliamentary elections and the signing of a peace agreement between the Sudanese government and Riek Machar (founder of the Southern Sudan Independence Movement).[5] Both took place in 1996 and are not at all accounted for in the text simply because they occurred well after my fieldwork. In other words, the Sudan at the time of my last interview is very much the Sudan discussed in this thesis. I do not believe, however, that this makes my study any less relevant. None of the interviewees, nor any other displaced Sudanese I know, have given me any indication that changes have occurred in Sudan since the end of my fieldwork which would make them reconsider moving back.[6] I want to state clearly that I have made it a point to keep in touch with several interviewees.

Most of the displaced Sudanese interviewed during fieldwork claimed to be living outside of Sudan as a result of Sudan's internal political situation. Sudan's present government in power and the civil war were two of the most popular topics of discussion. Before moving on, I would like to say a few brief words on both topics:

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[5] On 10 April 1996, Maj. Gen. Al Zubeir (First Vice President) signed the "Peace Charter" on behalf of the government of Sudan. In addition to Riek Machar, the "Charter" was also signed by Commander Kerubino Kuanyin Bol, chairperson of the little known Bahr El Ghazal faction of the Sudan Peoples Liberation Army (SPLA).

[6] One interviewee who could be considered an exception is Kamal. Our meeting is discussed in Chapter Five.

1) On 30 June 1989, Brigadier (now Lieutenant-General) Omar Hassan Ahmed El-Bashir led a successful coup d'état, installing the fourth military government in Sudan since independence (1 January 1956). This wasn't your ordinary coup, for it took only ten tanks, fifteen officers and forty-five enlisted soldiers to mount a successful mutiny against the 'democratically' elected government of Sadiq al-Mahdi.[7] Almost immediately, all forms of dissent were brutally suppressed in Khartoum. There were mass detentions, the banning of trade unions, the closing of the press, and the dismantling of the independent secular judiciary.[8]

2) Sudan has more or less been in a state of civil war since 1955. With notable exceptions (for example, the Nuba Mountains), armed conflict has almost exclusively taken place in Southern Sudan. From 1983 -the year generally given as marking the beginning of the second phase of the war- to 1993 alone, more than one and a half million Southern Sudanese had died as a direct consequence of Sudan's seemingly perpetual civil war.[9] Most recently, the war has taken a different turn as parts of Eastern Sudan -particularly near Sudan's border with Eritrea- are likewise turning into war zones.

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[7] These statistics were given to me by a reliable Sudanese friend in Cairo in the presence of a recognised expert on Sudanese history. While not openly confirmed, they were not the least bit disputed by the historian.

[8] Africa Watch Report, *Denying "The Honor Of Living" -Sudan: A Human Rights Disaster*, Human Rights Watch, New York. p.1-7.

[9] J. Millard Burr and Robert O. Collins, *Requiem for the Sudan: War, Drought, & Disaster Relief on the Nile*, Westview Press, Boulder (Colorado), 1995. p.1.

There have been no recent indications that Sudan is any closer to peace, nor that the Sudanese government is any more tolerable to views other than its own.

The thesis can be divided into two parts. Chapters One through Four largely serve as preparation for the fifth, and final, chapter. The first four chapters essentially act as pillars to support and strengthen Chapter Five -the crux of the whole dissertation.

Chapter One examines the historical evolution of the 'Western' notion of "Human Rights". The chapter begins by briefly looking at two recent trends in international politics. First is the increased attention and importance given to issues pertaining to "Human Rights". Second is the intensified use of "Human Rights" being employed by political entities as a tool or weapon as part and parcel of their political agendas. The rest of the chapter goes on to trace the development of the 'Western' "Human Rights" concept from its classical foundations in the Near East to its contemporary manifestations in the 'modern' international political arena.

Chapter Two takes a look at how anthropologists have handled issues pertaining to "Human Rights". I discuss the relationship between the doctrine of "cultural relativism" and the discipline of Anthropology, and show how this relationship has been a factor in anthropologists remaining somewhat silent on "Human Rights" matters. This chapter takes a similar course as its predecessor in that it traces the historical development of Anthropology -from intellectual hobby to full-time profession. The point of this is to illustrate the stages of Anthropology's growth as a 'culturally

sensitive' discipline in order to support my view that Anthropology, because of its 'sensitivity', is a most appropriate discipline for making positive contributions to the current discussions and debates on "Human Rights".

The contents of Chapter Three are simply what the chapter title indicates -"An Introduction To The Geography And People Of Sudan". This chapter, the shortest in the thesis, is basically a brief sketch of Africa's largest, and arguably most socially diverse, nation. The point of emphasising Sudan's geographic and social diversity is to prepare the reader for the latter part of the thesis which focuses on my discussions with the displaced Sudanese. That the displaced Sudanese had a variety of opinions concerning the topic of "Human Rights", I believe, is very related to the different landscapes and, in turn, different lifestyles lead in Sudan.

Chapter Four highlights my difficulties as an independent scholar conducting research on "Human Rights". My initial fieldwork plans had me going to Sudan for several months. However, I believe as a direct result of my research interests, for I never hid the topic of my research from anyone, I was denied access into Sudan. This chapter presents my attempts and failures at entering the country, after which it then moves on to discuss the locations where my research was actually conducted -Egypt, Kenya, and the United Kingdom. Because all three locations are radically different in terms of how the displaced Sudanese are coping with life in exile, it is important for me to examine the three settings separately.

Chapter Five, roughly half of the dissertation, is sub-divided into four sections. After presenting short descriptions of the

interviewees, I go on discuss how the interviews were conducted and analyse the relationship formed between the interviewees and myself. I also delve into the issue of "Politics" and explain how it was so intertwined in most of the discussions with the interviewees. The third section is simply a presentation of interview excerpts with commentary. This section allows the reader to get a feel for what transpired during the interviews. The emphasis in the subsequent analysis focuses strongly on the spoken words of the interviewees. I use the last section to examine the tools (or devices) utilised by the interviewees in their discourses on "Human Rights". Essentially, the aim of this chapter, and indeed this dissertation, is to present various ways the notion of "Human Rights" can be interpreted and manipulated in the context of crises. Sudan, the country in focus for this thesis, is rife with circumstances which could easily be characterised as crisis like.

The Conclusion is where I briefly discuss my responsibilities, as an anthropologist, to those -the displaced Sudanese- who made this thesis come true. In addition, I say a few words on what I have learned from the research and the possible contributions this thesis can make.

Before moving on, I wish to stress two points. The first, in regards to spelling, is actually more a word of caution. Many Sudanese names -for people and places- have multiple spellings. This will be evident in several cases throughout the dissertation. The second point is that most of the names used throughout the thesis are fake. The ones which are not are mainly public figures.

I

Historical Development Of The 'Modern' "Human Rights" Concept

Introduction

This first chapter will examine the historical development of the notion of "Human Rights" as described in the "Human Rights" literature of the United Nations. It is this particular notion which is frequently implied in terms such as 'international standards' or 'international values'.[10] I will trace the evolution of the 'Western' concept of "Human Rights", including its development since the founding of the United Nations, and show how this 'Western' concept has evolved into the 'modern' notion of "Human Rights" as a 'universal' phenomenon.

The 'modern' (or post World War II) understanding/ interpretation of the term, "Human Rights", is barely fifty years old. It is widely accepted that the Charter of the United Nations, opened for signature and ratification on 26 June 1945 at the United Nations Conference in San Francisco, marked the beginning of the 'modern' political era where the protection of "Human Rights" "for all" is an accepted and recognised objective of the international community.[11]

The age of the notion (or idea) of "Human Rights" (not the use of the term "Human Rights") is as old as the history and beliefs one

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[10] Both terms were commonly used by the Sudanese interviewees in reference to the documents on "Human Rights" by the United Nations.

[11] I do not mean to imply that protecting people's (and peoples') "Human Rights" is necessarily the top priority of the international community.

follows.[12] "The idea of individual worth can be found in the work of sages, philosophers, prophets and poets from different countries and many faiths in all continents..."[13] A Muslim may cite the *Qur'an* and *Sunna* (*Hadith*) as the foundations for his/her values, beliefs, and ideas for how life should be conducted.[14] These sources guide the Muslim in all aspects of life -political, economic, family matters, etc..., and enable him/her to distinguish right from wrong (*halal* from *haram*). Likewise, the life of a Taoist is strongly influenced by the teachings of Laotze, in particular the work, *Tao Teh.*[15] To document the history of the "Human Rights" concept would entail an endless task of philosophical and religious historical research; and because this concept is as old as history itself, it is impossible to say when, where, and by whom it was originally devised.

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[12] What I mean by this sentence is that it is impossible to trace the origins of the "Human Rights" concept with any precision. People generally have a natural bias to the tradition in which they have been brought up in. This bias, I believe, would tend to lead people into looking at their own tradition, especially religious, for answers to questions such as: "What is the origin of the concept of "Human Rights"?".

[13] A.H. Robertson (Revised by J.G. Merrills), *Human Rights In The World: An Introduction to the study of the international protection of human rights* (Third Edition), Manchester University Press, Manchester (UK), 1992. p.8.

[14] The "*Qur'an* "- literally meaning 'recitation'- is regarded by Muslims as the infallible word of God. This word is said to have been revealed to the Prophet Muhammad (the last in a line of twenty-five prophets starting with Adam, up through Moses, Abraham, and Jesus) by the Angel Gabriel in the year 610 AD. The *Qur'an* was put into book form some thirty years after the Prophet's death (June 8, 632).
The "*Sunna* "- literally 'a manner of acting' or 'a mode of life'- is a collection of the Prophet Muhammad's sayings and actions, and gives some explanation on the lives of his companions. The *Sunna* gives an account of what the Prophet approved of. "*Hadith* "- literally 'a saying'- is the popular term for *Sunna.*
The *Sira* (biography on the life of Muhammad, completed some two hundred years after the Prophet's death), which I have not included in the text, is another important inspirational source for Muslims; but it is purely a historical book, with very little emphasis on teaching. The author is Ibn Ishaq, born in Medina about the year A.H. 50.

[15] see Walter Gorn Old, *The Book of the Simple Way of Laotze*, Philip Wellby, London, 1904.

I would like to use this chapter to present a brief overview of some of the major historical influences upon the Universal Declaration of Human Rights (1948) and subsequent major United Nations documents on "Human Rights", which lead to the popularisation of the notion, and 'modern' use/understanding of the term, "Human Rights" (or as I like to refer to as "Universal Human Rights").

"Human Rights" in the 1990's

As demonstrated by the United Nations World Conference on Human Rights in Vienna (June 14-25, 1993), the issue of "Human Rights" is becoming increasingly popular on the international political scene. "The Conference was marked by an unprecedented degree of participation by government delegates and the international human rights community."[16] This "unprecedented degree of participation" is a reflection of two trends, particularly since the end of the 'Cold War'. The first, that there is a growing concern internationally for "human" suffering, notably as a result of armed conflict -for example, the tragedies of Bosnia-Herzegovina and Rwanda. This is reflected in the amount of media coverage and the fact that substantial efforts -by NGO's, PVO's, the United Nations, local and regional (OAU and NATO) political organisations-

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16 United Nations, "Introduction", *World Conference On Human Rights: The Vienna Declaration and Programme of Action, June 1993*, United Nations Department of Public Information, New York, 1995. p.1.
The Sudan Human Rights Organisation (SHRO) presented a video at the conference. Highlights of the video included interviews with victims of torture. All claimed to have been tortured by the ruling junta in power.

have taken place to help ease situations in both countries.[17] The second trend, which I will elaborate on, being that more than ever before the United Nations and individual countries are employing the notion of "Human Rights" as a tool for part of their policy agendas.[18]

Since the military coup occurred in Sudan on 30 June 1989, countless Bills and Resolutions have been drawn up in the United States by members of the House of Representatives and Senate regarding the humanitarian situation in Sudan.[19] Acts have been passed condemning "the Government of Sudan for its severe human rights abuses..."[20] Recommendations have been made by the Senate urging the American president "to explore other means necessary to force the Government of Sudan to halt its war policies should the

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[17] I am not using the word "substantial" to imply "sufficient" or "adequate"; but to mean "large" or "great" irrespective of whether these efforts were as "great" as they could or should have been. Concern for "human" suffering, though increasing, continues to be rather selective as frequent massacres in places like Sudan and Angola receive scarce attention.

[18] I am not assigning a value to the word "tool". A political "tool" could be used to help just as it could be used to hurt.

[19] "Three pieces of general legislation initiated by Congress in the 1970's form the cornerstones of U.S. human rights policy." First, mandatory legislation was passed by Congress in 1975 to "condition economic aid on respect for human rights" in accordance with Section 116 of the Foreign Assistance Act of 1961. The popular name for this legislation, sponsored by Rep. Tom Harkin (D-Iowa), is the "Harkin Amendment". In 1977, a second provision was enacted which focused on multilateral aid. Section 701 of the International Financial Assistance Act of 1977 calls for the American government "to advance the cause of human rights, including by seeking to channel assistance toward countries other than those whose governments engage in gross violations of internationally recognised human rights". The third piece of legislation was enacted in 1978. Essentially, a legally binding link was established between "Human Rights" and economic and military assistance. The amendment made in 1978 to Section 502B of the Foreign Assistance Act of 1961 prohibits security assistance to "any country the government of which engages in a consistent pattern of gross violations of internationally recognised human rights". see Joan M. Nelson (with Stephanie J. Eglinton), *Encouraging Democracy: What Role For Conditioned Aid?*, Policy Essay No.4., Overseas Development Council, Washington DC., 1992. p.26-27.

[20] 103d Congress, 1st Session, H.R. 2404, In The Senate Of The United States, Introduced on 17 June 1993, *An Act: To authorize appropriations for foreign assistance programs, and for other purposes*, "Title III-Regional Provisions: Sec.306. Sudan.". p.41.

humanitarian conditions further deteriorate and the Government of Sudan continue to impede relief efforts...",[21] and to push the United Nations Security Council "to impose an arms embargo on Sudan".[22] This is in addition to the termination of all economic assistance to Sudan by the United States, in accordance with the provisions of a foreign assistance appropriations law,[23] as a result of the military overthrowing the democratically elected government of Sadiq al-Mahdi. In simpler terms, the American government acts upon what it considers to be violations of "Human Rights" on the part of the government of Sudan by using Sudan's "Human Rights" record as a tool in its policy agenda towards Sudan.

Another example of the notion of "Human Rights" being used as a tool is the two reports by Gáspár Bíró, the United Nations Special Rapporteur, completed in 1993 and 1994 respectively. He was appointed by the Chairperson of the United Nations Commission on Human Rights "to establish direct contact with the Government and with the people of the Sudan and to investigate the situation of human rights in the Sudan, including any progress made there

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[21] 103d Congress, 1st Session, H. CON. RES. 131, In The Senate Of The United States, 23 November 1993, *Concurrent Resolution: Expressing the sense of the Congress with respect to the situation in Sudan.* p.5.

[22] Ibid. p.6.

[23] "SEC. 508. None of the funds appropriated or otherwise made available pursuant to the Act shall be obligated or expended to finance directly any assistance to any country whose duly elected Head of Government is deposed by military coup or decree: *Provided*, That assistance may be resumed to such country if the President determines and reports to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office."
The preceding passage is taken from the *Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994.* see Public Law 103-87 [H.R. 2295]; 30 September 1993, *Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 - Supplemental Appropriations for the New Independent States of the Former Soviet Union Act, 1993*, "Title I -Multilateral Economic Assistance". p.946.

towards the full restoration of human rights and compliance with international human rights instruments and international humanitarian law".[24] At the end of his first report, Gáspár Bíró "firmly" concluded "that grave and widespread violations of human rights by agents and officials, as well as abuses by members of the SPLA factions in zones controlled by them, continue to take place, including large numbers of extrajudicial killings, summary executions, enforced or involuntary disappearances, systematic torture and widespread arbitrary arrest of suspected opponents".[25]

After submitting his first report, he subsequently was not allowed back into Sudan. Nonetheless, after conducting his follow-up research in Egypt, Kenya, and Uganda, he produced another report the following year. In the conclusion of the second report, Mr. Bíró explains that "according to the information available to him, almost all aspects of life and all categories and strata of the population are affected by violations of human rights committed by agents of the Government or by abuses against the life, security and freedom of the individual committed by all parties to the armed conflict in the South".[26] The result of these two reports is increased pressure on

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[24] United Nations, Economic and Social Council, Distr. GENERAL, E/CN.4/1994/48, 1 February 1994, Commission On Human Rights, Fiftieth Session, Item 12 of the provisional agenda, *Question Of The Violation Of Human Rights And Fundamental Freedoms In any Part Of The World, With Particular Reference To Colonial And Other Dependent Countries And Territories* - Situation of human rights in the Sudan, "Report of the Special Rapporteur, Mr. Gáspár Bíró, submitted in accordance with Commission on Human Rights resolution 1993/60". p.3.

[25] Ibid. p.39.

[26] United Nations, Economic and Social Council, Distr. GENERAL, E/CN.4/1995/58, 30 January 1995, Commission On Human Rights, Fifty-first Session, Item 12 of the provisional agenda, *Question Of The Violation Of Human Rights And Fundamental Freedoms In any Part Of The World, With Particular Reference To Colonial And Other Dependent Countries And Territories* - Situation of human rights in the Sudan, "Report

Sudan from the international community to clean up its act. This pressure has lead Sudan to becoming increasingly isolated, both economically and politically. A clear example of this occurred when the United States pulled its ambassador out of Sudan in 1995.

Some 'non-Western' governments and officials, however, are striking back at what they claim is an unfair use of the "Human Rights" issue by the 'Western' powers in an attempt at forcing 'non-Western' cultures to comply with 'Western' standards of "Human Rights". This, they argue, is just another form/example of 'Western' cultural imperialism, and a blatant misuse of power. In an official Sudanese government response to an interim report on the status of "Human Rights" in Sudan by Gáspár Bíró, the Permanent Representative (Ali Mohamed Osman Yassin) at the Sudan Mission to the United Nations in Geneva, wrote:

"Since its inception, the Commission on Human Rights has evolved into an important instrument in the United Nations family, ostensibly to prepare recommendations and reports on a wide range of declarations and all aspects of conventions on civil liberties, as well as any other matters concerning human rights. Alas, the performance of the Commission and its subsidiary bodies leaves much to be desired. Since the Commission came into prominence at the end of the cold war, the Western countries have concentrated much attention on its activities in an attempt to turn it into an instrument tailored to pursue and realise their own political and strategic objectives, making use in this respect of some flaws in

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of the Special Rapporteur, Mr. Gáspár Bíró, submitted in accordance with Commission on Human Rights resolution 1994/79". p.16.

the rules of procedure and methodology of work of the Commission. It has therefore come to acquire a reputation for selectivity in its approach to cases of human rights abuses, a lack of democratic practices in its voting and decision-making, bias in its staffing, procedures and appointments and coercion and insensibility in the administration of its meetings."[27]

Mr. Yassin is using "Human Rights" as a tool in his defence against the report made by Mr. Bíró. He implies in his statement that Gáspár Bíró is working for the 'Western' powers and that Bíró's report is being used by them "to pursue and realise their own political and strategic objectives". In other words, Mr. Yassin is defending the Sudanese government against allegations of "Human Rights" abuses by trying to discredit not only Gáspár Bíró, but the Commission on Human Rights as an institution. Simply put, his defence is questioning the motives behind Gáspár Bíró's research and

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27 United Nations, General Assembly, Distr. General, A/C.3/49/22, 25 November 1994, Forty-ninth session, Third Committee, Agenda item 100 (c), *Human Rights Questions: Human Rights Situations And Reports Of Special Rapporteurs And Representatives - Response by the Government of the Sudan to the interim report on the situation of human rights in the Sudan prepared by Mr. Gáspár Bíró, as contained in document A/49/539 dated 19 October 1994*. p.2. (Annex)
The United Nations Commission on Human Rights was officially established on 21 June 1946 under Economic and Social resolution 9 (II), although it actually began its operations in February of that year to organise the drafting of the Universal Declaration of Human Rights. The Commission "makes studies, prepares recommendations and drafts international instruments relating to human rights. It also undertakes special tasks assigned to it by the General Assembly or the Economic and Social Council, including the investigation of allegations concerning violations of human rights and the handling of communications relating to such violations". The Human Rights Committee was established in 1977 in accordance with article 28 of the International Covenant on Civil and Political Rights and of the corresponding Optional Protocol. The Committee is made up of eighteen individuals. Their job is to study and comment on reports of the "Human Rights" situations in all countries; in addition to investigating complaints by States, as well as individuals, on alleged "Human Rights" violations by other States. see United Nations, *United Nations And Human Rights*, Department of Public Information, New York, 1984. p.6-7 for information on the Commission on Human Rights and p.11-12 for information on the Human Rights Committee.

report. So, "Human Rights" is a notion which can be used as a tool to "attack" -as in the examples of the United States and Gáspár Bíró condemning the Sudanese government- and "counter attack" -as Mr. Yassin did against the reports by Gáspár Bíró.

In addition to how the notion of "Human Rights" is used as a political tool, there remains the question of whether certain "Human Rights" should take precedence over others -for example, the right of one to participate in a democracy before one has the right to earn enough money to adequately feed and clothe his/her family. Speaking on behalf of ASEAN (the Association of South-East Asian Nations) at the conference in Vienna, the Minister for Foreign Affairs of Indonesia, Mr. Ali Alatas, exclaimed that "there is no justification for emphasising one category of human rights over another."[28] Mr. Alatas is echoing the voices of many, and implying that if the World is to have a set of rights, then work must be done to ensure the equal representation and involvement of all cultures within this 'universal' pact.

Classical Foundations

The philosophical foundations leading to the post-World War II notion of "Human Rights" -being 'universal' in scope- are clearly

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[28] United Nations World Conference on Human Rights, Vienna; An overview prepared by the Centre for Human Rights, Geneva; *Human Rights Law Journal*; In association with the International Institute of Human Rights, Strasbourg; N.P. Engel, Vol. 14 No.9-10, November 30, 1993. p.347.
Since the foundation of the United Nations, "Human Rights" have been popularly divided into four categories (or "generations"), based on their age of inclusion into the "Human Rights" discourse of the international political arena. The first "generation" of "Human Rights" are civil and political rights. These are followed by economic, social, and cultural rights. Next is the right of development. The fourth "generation" is the rights of indigenous people.

derived from the liberal democratic tradition of Western Europe, of which the concept of "natural law" has been most influential. This liberal tradition, in turn, had its origins in Greek philosophy, Roman law, and Judeo-Christian teachings.[29]

In starting with the latter, the 'modern' notion of "Human Rights" can be traced all the way back to both stories of creation in the Book of Genesis. In the first story, "God said:

"Let us make man in our own image, after our image, after our likeness...!"[30]

So God created man in his own image; in the image of God he created him; he created both male and female. Then God blessed them, and God said to them:

"Be fruitful, multiply, fill the earth, and subdue it; have dominion over the fish of the sea, the birds of the air, the domestic animals, and all the living things that crawl on the earth!"

Further, God said:

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[29] The roots of "natural law" go back to the time of the earliest 'Western' philosophical thought, generally considered to be that of the ancient Greeks. In addition, both the Old and New Testaments are cited as having profound influence on 'Western' legal traditions. "Natural Law" is thought to have first been implemented in the Roman 'universal' system of laws. This system came about as a result of trying to integrate the variety of cultures within the vast Roman empire. As well, though maybe not directly linked to 'Western' liberalism, but nonetheless worthy of mention, is the philosophy of Mohism - founded by Mo Zi (c. 479-438 B.C.). Mo Zi is given credit as the first philosopher in China, and one of the first ever, to contend the equality of all humans in the eyes of God. The importance of "natural law" is its assertion that the laws of nature and laws of God are superior to that of positive "man-made" law. See Laurence C. Wu's book, *Fundamentals Of Chinese Philosophy* (United Press of America Inc., London, 1986.), for insight into the diverse world of Chinese philosophical thought. Though both India and China have made tremendous contributions in philosophy, communication in ancient times was not sufficient enough for their contributions to have a significant impact upon Classical 'Western' philosophical thought, and therefore on the foundations of the modern -'Western' influenced- notion of 'universal' "Human Rights".

[30] The use of the word "our" -as opposed to "him"/"her" or "it"- in the Book of Genesis has been interpreted by some to indicate that the stories in the Book were originally based in a polytheistic context.

"See, I give you all the seed-bearing plants that are found all over the earth, and all the trees which have seed-bearing fruit; it shall be yours to eat. To all the wild beasts of the earth, to all the birds of the air, and to all the land reptiles, in which there is a living spirit, I give all the green plants for food."

And so it was. God saw that all he had made was very good."[31]

In the second creation story, God created Adam and planted a beautiful garden in which to place him called the Garden of Eden. God filled the garden with a plentiful array of plants and animals. However, none of the animals in the garden made for a suitable helper to Adam. So God placed Adam in a trance, took one of his ribs, and from this rib created his female companion, Eve. Both were naked, without shame, and free to eat the fruit of every tree except the one in the middle of the garden. As God commanded:

"From any tree in the garden you are free to eat; but from the tree of the knowledge of good and evil you must not eat; for the day you eat of it you shall certainly die."[32]

These creation stories place humans in a 'paradise' where they are allowed to roam free as long as they do not disobey God's wishes. Both Adam and Eve, which at the time -according to the story- represented all of humanity, were treated with equal respect because they were created by God, the one and only God, in <u>his</u> own image (*imago Dei*). The early followers of Judaism were theoretically committed "to treating all human beings by the same

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[31] J.M. Powis Smith (editor), "The Book of Genesis" (The Story of Creation, 1:26-31), *The Bible: An American Translation -Old Testament*, The University of Chicago Press, Chicago, November 1931. p.4.

[32] Ibid. (2:17). p.5.

ethical rules" simply for the fact of them being "human".[33] Being "human" was defined as being created by God in God's own image. In other words, "human beings" are living images of God. By virtue of this fact, every human being "has rights and duties of his own, flowing directly and simultaneously from his very nature. These rights are therefore universal, inviolable, and inalienable".[34]

Stories from The Book of Genesis, dating back to at least the second millennium B.C., could very well represent the earliest recorded notions of human dignity and equality for all in the eyes of God.[35] It is these ideas, later taken up by philosophers most notably in Greece (and its Mediterranean colonies) and Western Europe, which have greatly influenced the 'modern' -twentieth century- documents on "Human Rights" such as the Universal Declaration of Human Rights.

It is generally assumed that 'Western' philosophy began with the Greeks.[36] While this may or may not be true, I believe that not

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[33] Leonard Swindler, "Human Rights: A Historical Overview", *The Ethics Of World Religions And Human Rights*, Hans Küng and Jürgen Moltmann (editors), SCM Press, London, April 1990. p.14.

[34] David Hollenbach, S.J., *Claims in Conflict: Retrieving and Renewing the Catholic Human Rights Tradition*, Paulist Press, New York, 1979. p.108. The quote is taken from the encyclical letter *Pacem in Terris No: 9* of Pope John XXIII. It was originally addressed by him in the spring of 1963.

[35] The *Torah* (or *Pentateuch*) -encompassing the Old Testament's first five books -was not put together as a written piece of work till about 400 B.C. see Anthony R. Ceresko, O.S.F.S., *Introduction to the Old Testament: A Liberation Perspective*, Geoffrey Chapman, London, 1992.

[36] To say 'Western' philosophy began with the Greeks does not mean 'Western' philosophy began in what is now Greece. For it was in a Greek colony (Miletus) on the coast of Asia Minor (modern day Turkey) that we have our first records of Greek philosophy. Thales, whose family originally came from Phoenicia, is considered the first of the Milesian philosophers; and tradition has it that his philosophy came into being on 28 May 585 B.C., as there occurred an eclipse of the sun which he is alleged to have predicted. see D.W. Hamlyn, *The Pelican History of Western Philosophy*, Penguin Books, London, 1989. also see Jonathan Barnes, *Early Greek Philosophy*, Penguin Books, London, 1987.

enough credit is given to the influence Egyptians had upon Greek philosophy and scholarship. We will never know the full extent of ancient Egypt's contributions to 'Western' philosophy due to the burning of the Library of Alexandria by the Romans,[37] and the fact that Egyptian philosophy is largely discounted on grounds of its inseparable relationship with religion.[38] Nonetheless, the ancient Egyptians had their own systems of "government" and "justice". Perhaps the earliest known record of sentiments being expressed along the lines of a 'Western' idea of "Human Rights" is from an Egyptian Pharaoh giving instructions to his Viziers "to the effect that 'When a petitioner arrives from Upper or Lower Egypt... Make sure that all is done according to the law, that custom is observed and the right of each man respected'".[39]

The Ancient Egyptians can also be given credit for inventing the tools of writing. "There discovery of papyrus, handed down to classical antiquity, thanks to its light weight, flexibility and the almost unlimited dimensions of papyrus 'scrolls', certainly played a

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[37] "To gain a better understanding of their new subjects, the Ptolemaic kings had a history of Pharonic Egypt compiled on their behalf in the third century before the Christian era. Manetho, an Egyptian, was put in charge of writing this general history of Egypt. He had access to the ancient archives and was able to read them. If his work had come down to us in its entirety, we would have been spared many uncertainties. Unfortunately it disappeared when the Library of Alexandria was burned." see G. Mokhtar (editor), *General History of Africa II: Ancient Civilizations of Africa* (Abridged Edition), James Currey Ltd., London, 1990. p.4.

[38] Morenz remarks, "thus art and science, government and law are founded in religion, which in a nutshell is the womb of (Egyptian) culture". see Siegfried Morenz, *Egyptian Religion*, Methuen and Co. Ltd., 1973. p.9-15. and Henri Frankfort, *Ancient Egyptian Religion: An Interpretation*, Columbia University Press, New York, 1961. p.v-vii.

[39] A.H. Robertson (Revised by J.G. Merrills), 1992. p.8. A.H. Robertson actually takes the quote from P. Modinos, "La Charte de la Liberté de l'Europe", *Human Rights Journal, VIII*, 1975. p.677-678. In addition, Paul Modinos cites Hammourabi's Code, dated at around 2000 years before Christ, in which the King of Babylon exclaims, that "to make justice reign in the kingdom, to destroy the wicked and the violent, to prevent the strong from oppressing the weak...to enlighten the country and promote the good of the people".

role in the diffusion of thought and knowledge."[40] To say that Egypt had no influence upon Greek, and therefore 'Western', philosophy is a fallacy for even "the Greeks themselves later supposed that their own philosophy owed much to the land of the Pharaohs".[41]

While one can argue about the specific origins of the "natural law" concept, loosely defined as laws of nature or laws of God above and beyond those "positive" laws of man,[42] it is generally considered that the Greek Stoics (c. 200-300 B.C.) were the first to elaborate on this concept. "To the Stoics nature meant the true realm of reason permeating the cosmos and shaping its inner structure. The law of nature was reasonable and valid for all nations. Natural law was no invention of man, but was created by divine reason itself. The Stoics believed in the original equality of people through their reasonable nature."[43] The Stoics based their line of reasoning from Aristotelian ideas of nature, primarily that humans are part of nature and that it is natural for humans to reason.[44]

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[40] G. Mokhtar (editor), 1990. p.116

[41] Jonathan Barnes, 1987. p.15.
It must be said Jonathan Barnes is sceptical about the amount of Egyptian influence upon Greek philosophy. He does mention, however, that "many of the Greeks themselves believed that philosophy began...in Egypt". see page 58.

[42] A.H. Robertson, *Human Rights In The World: An Introduction To The Study Of The International Protection Of Human Rights* (Second Edition), Manchester University Press, Manchester (UK),1982. p.4.

[43] E.K. Bramsted and K.J. Melhuish (editors), *Western Liberalism: A History in Documents from Locke to Croce*, Longman Group Limited, 1978. p.5.

[44] "According to...[Aristotle's] treatise on the soul (*De Anima*), every living thing has *psyche*; it is that which makes a thing alive and consists in capacities for various activities characteristic of life. The lowest living things, plants, have a capacity only for nourishment and reproduction; animals have in addition capacities for sensation and movement; higher animals have in addition a limited memory; humans have in addition a capacity to reason." see Antony Flew (editorial consultant), *A Dictionary of Philosophy*, Pan Books Ltd., London, 1984. p.27.

These ideas were to influence several thinkers and jurists of Ancient Rome, most notably, Cicero (106-43 B.C.) and Gaius (c.110-at least 179 A.D.).[45] As Marcus Tullius Cicero explains, "natural law" is "of universal application, unchanging and everlasting...we cannot be freed from its obligations by Senate or People, and we need not look outside ourselves for an expounder or interpreter of it. And there will not be different laws in Rome and at Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all nations and for all times, and there will be one master and one ruler, that is God..."[46] One must remember, however, that slavery was recognised as a legitimate practice in the Graeco-Roman world amongst those subscribing to the Aristotelian Stoa school of thought; or any school of thought for that matter. "In that world it was considered to be perfectly natural (and therefore in conformity with natural law) that there should exist radical social differences which exclude *ab ovo* the central idea of human rights: that of the equality of men."[47]

Christian Interpretations

The notion of *Jus naturale* was later laboured upon by Christian scholastics such as Saint Augustine of Hippo (354-430) and Saint Thomas Aquinas (c. 1225-74). Of particular importance to

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[45] For some clarification on the life span of Gaius see the introduction of: W.M. Gordon and O.F. Robinson (translators), *The Institutes of Gaius*, Gerald Duckworth & Co. Ltd., London, 1988.

[46] R.J. Vincent, *Human Rights and International Relations*, Cambridge University Press, Cambridge (UK), 1986. p.21.

[47] Imre Szabo, "Historical Foundations of Human Rights and Subsequent Developments", *The International Dimensions Of Human Rights: Volume 1*, Karel Vasak (general editor), Greenwood Press, Westport (Connecticut), 1982. p.12

this divinely inspired "natural law" is the "encyclopaedic" work by Saint Thomas Aquinas, *Summa Theologiae*. Aquinas wrote on the compatibility between Aristotelian thought and Christian doctrines. At the time, this was very much against the grain of conservative Christian theology.[48] Furthermore, Aquinas "redefined the system of natural law as divinely willed; thus both ethical and physical law were viewed as objective and good by virtue of the reason and perfection of God".[49] It is through human reason that one gets to know "natural laws". The notion of "natural law" in Aquinas' time, and indeed throughout the Middle Ages, asserts that people were subject to the will of both God and humanity. King John was no exception to the rule of divine authority as he was forced by the English nobles to sign the Magna Carta in 1215. The Magna Carta, a document which "embodied such principles as trial by a jury of peers, an end to feudal forced labor, no confiscation of property without compensation, equality of all before the law, and the right of free migration",[50] was a landmark in that it was the first recorded 'political' document to distinguish between people as individuals and as members of a state.

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[48] There were two main reasons why Aquinas' work on Aristotle was taken cautiously in the beginning. Firstly, Aristotle was considered a pagan. Secondly, Aristotle's work was very influential with the great medieval Islamic philosophers -such as Averroes and Avicenna.

[49] Alan S. Rosenbaum, "Introduction: The Editor's Perspectives on the Philosophy of Human Rights", *The Philosophy Of Human Rights: International Perspectives*, Alan S. Rosenbaum (editor), Aldwych Press Limited, London, 1980. p.11.

[50] Walter Laqueur and Barry Rubin (editors), *The Human Rights Reader* (revised edition), Penguin Group, New York, 1990. p.101.

Secular Innovations

The development and basis for a 'modern' (post-World War II) and secular "natural law" was given to us in the seventeenth century, perhaps first, by the Dutch jurist, Hugo Grotius (1583-1645), with his work, *De jure belli et pacis* (*On the Law of War and Peace*) in 1625.[51] The writings of Grotius broke away from a "natural law" derived from the Holy Scriptures and the will of God, to a "natural law" based simply on the law of reason. He writes:

"The law of nature, again, is unchangeable - even in the sense that it cannot be changed by God. Measureless as is the power of God, nevertheless it can be said that there are certain things over which that power does not extend; for things of which this is said are spoken only, having no sense corresponding with reality and being mutually contradictory. Just as even God, then, cannot cause that two times two should not make four, so He cannot cause that that which is intrinsically evil be not evil."[52]

Grotius' views have been said to mark "a turning-point in the history of thinking".[53]

The notion of an individual with rights against the state developed concurrently with the great economic and social changes of seventeenth and eighteenth century Western Europe. As the industrial revolution was dismantling feudalism, capitalism was evolving as the dominant economic force of the era. An emerging

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[51] "Grotius" is the Latin translation for "de Groot".

[52] Frede Castberg, "Natural law and human rights", *International Protection of Human Rights: Proceedings of the Seventh Nobel Symposium, Oslo, September 25-27, 1967*, Asbjorn Eide and August Schou (editors), Interscience Publishers, London, 1968. p.17. see Grotius' *De jure belli et pacis* -"Book1: chapter 1,5".

[53] Ibid.

middle (or industrial) class rebelled against government constraints and demanded political participation and freedom.

Influenced by the turbulent political situation and bloody conflicts of the civil wars in England, Thomas Hobbes (1588-1679) composed his masterpiece, *Leviathan* (1651). Hobbes argued for political absolutism, meaning that the government -Hobbes preferred an absolute monarchy- must have the authority to maintain the societal order and peace by any means necessary.[54] Hobbes, like Grotius, saw "natural law" based on reason; reason allowing man the right to lead his own life, to the best of his abilities, and according to his own desires. Hobbes also saw man as being naturally competitive and distrustful, and viewed society as composed of "warring individuals moved by necessity and fear."[55] In short, Hobbes favoured a society emphasising much individual freedom, while at the same time stressing the need for a powerful central government to protect this freedom from the natural temptations of man. Perhaps the Golden Rule or Law of the Gospel sums up the opinions of Hobbes the best: *Do unto others that what you have done unto you.*

Towards the end of the eighteenth century, the concept of "natural law" altered its meaning considerably. The focus of "natural law" had shifted from a set of objective norms to 'rights'

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[54] One need only look at the cover of Hobbes' Leviathan to observe the frightening sea monster, which is meant to suggest an authority that is equally frightening. The monster is referred to in the Old Testament: Book of Leviticus.

[55] Edgar E. Knoebel (editor), *Classics Of Western Thought-Volume III: The Modern World* (Fourth Edition), Harcourt Brace Jovanovich, Inc., San Diego (California), 1988. p.32.

of the individual. The concept of "natural law"[56] became seen as a 'theory of rights' rather than as a 'theory of law'. According to this 'theory of rights' all men, by nature, were free, equal, and independent.[57] The greatest contributions in support of these ideas were the teachings of John Locke (1632-1704); specifically his *Second Treatise*, "Of Civil Government" (1690).[58] (John Locke, and "Natural Rights" in general, were not without their detractors, namely three fellow Englishmen, John Austin, Edmund Burke, and Jeremy Bentham. The last decried: "Natural rights is simple nonsense: natural and imprescriptible rights, rhetorical nonsense -nonsense upon stilts".)[59]

According to Locke, man is born with the inalienable right to perfect freedom, and unrestricted access to all of the rights and privileges within the law of nature on an equal basis with all/any other men/man. Man, by nature, has the power to defend his property (life, liberty, and estate), and by law to judge and punish those who violate his inalienable right to perfect freedom. Political society cannot exist without having the inalienable power to preserve

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[56] One must realise that the concept of "natural law" does not have a precise definition. It is a concept which evolves through time.

[57] Alan S. Rosenbaum, 1980. p.12.

[58] Ibid. Rosenbaum on p.12 goes on to mention: "It was through the innovative contributions of Locke in the seventeenth century that natural rights theory (as a precursor to the human rights doctrine) became recognized as legitimately asserted by all individuals everywhere and obligatorily respected by government as a first condition of its own legitimacy".

[59] Louis Henkin, "The Universality Of The Concept Of Human Rights", *The Annals of The American Academy of Political and Social Science*, Human Rights Around The World, Volume 506, November 1989, Sage Publications, Newbury Park (CA), p. 12. see *'Nonsense Upon Stilts'- Bentham, Burke and Marx on the Rights of Man* (Methuen & Co. Ltd., London, 1987), edited by Jeremy Waldron, for a look at some alternative ideas to John Locke's "Natural Law".

property (freedom) and punish those who violate man's property. When individuals unite to form a society, they surrender their executive power of the law of nature to the public (society). A society forms by individuals uniting for the protection of individuals. This, and only this constitutes a free political (or free civil) society.

Unlike men who live solely as individuals, men who collectively form a society under one supreme government are not in a state of nature. They are of a commonwealth which sets up a judicial system to protect freedom. The first and fundamental law of nature is the preservation of the society as the public sees fit. This could include the public dismantling one commonwealth to set up another, *as it see's fit.*

What differentiated Locke from most of those before him was his opposition to dogmatism.[60] He spoke for freedom in religion, education, and thought. Locke stated that government should rest on the shoulders of the governed, and that "human beings" were free moral agents. In short, if "human beings" form the very basis of government, then these "human beings" should have a say in how they are to be governed. In Locke's society, the will of the majority passes for the will of all. Civil society was now seen as one in which man, while free in nature, gave up certain rights to the government in order to protect the *society*, as well as the *individual.* As great an influence Grotius and Hobbes had on the secularisation and individualisation of "natural law", it was John Locke's

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[60] see Edgar E. Knoebel (editor), 1988. Locke's ideas are stated clearly on page 68: "...human beings were free moral agents-who existed prior to the establishment of government and were the very basis of it".

interpretation of the concept, as being concerned with the rights of individual persons for the sole reason of being born "human", that has directly influenced the contents of countless documents on "Human Rights" in the twentieth century.

Revolutionary Confrontations

The 'modern' (or post World War II) conception of popular sovereignty and individual rights, conceived through the philosophic and legal writings of Locke (when talking about individualism and self-determination, one must never forget Locke's natural 'rights' to: "Life, Liberty and Property".),[61] Grotius, Montesquieu (1689-1755), and Jefferson (1743-1826), helped spawn the revolutionary ideas put forth in the American Declaration of Independence (1776)[62] - "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are Life, Liberty, and the pursuit of Happiness...That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter and abolish it, and to institute new Government,..."[63]- and the French *Déclaration des Droits de l'Homme et du Citoyen* [Declaration

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61 see John Locke's *Two Treatises of Government.*

62 Adamantia Pollis and Peter Schwab, "Human Rights: A Western Concept With Limited Applicability", *Human Rights: Cultural and Ideological Perspectives*, Adamantia Pollis and Peter Schwab (editors), Praeger Publishers, New York, 1980. p.3. Chapters 1 ("Human Rights: A Western Construct With Limited Applicability" by Pollis and Schwab) and 2 ("Human Rights In The West: Political Liberties And The Rule Of Law" by John T. Wright) in *Human Rights: Cultural and Ideological Perspectives* provide a clear concise synopsis on the development of "Human Rights" in Western Europe and the United States, and on how these particular developments influenced the formation of the United Nations and its employed "Human Rights" rhetoric.

63 Charles Freeman, *Today's World: Human Rights*, B.T. Batsford LTD., London, 1988, p.3.

of the Rights of Man and Citizen (1789)]- "Men are born and remain free and equal in their rights... The aim of every political association is to preserve the natural and inalienable rights of man; the right to liberty, property, security and resistance to oppression".[64] These words treat each and every man as an individual possessed with 'rights' in "nature".[65]

In practice "natural rights" first took root in England with the English Petition of Rights in 1627, the Habeas Corpus Act of 1679, and the peaceful "Glorious Revolution" of 1688 which lead to the English Bill of Rights (1689); but it was the two revolutions in the late eighteenth century, in the United States of America and France respectively, that brought us our most influential (and hence, most quoted) documents for the support of individual freedom based upon the "natural rights" doctrine. These documents are the American Declaration of Independence (1776), the United States Constitution (1789), United States Bill of Rights (1991), and the French

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[64] Images Internationales pour les Droits de l'Homme et du Citoyen-Artis 89, *Pour les droits de l'Homme: Histoire(s), Image(s), Parole(s)*, Artis 89, Paris, 1989. p.156-157 This book has absolutely the best collection of "Human Rights" advocacy art work I've ever seen.

[65] Merrilee H. Salmon points out in her article, "Ethical Considerations in Anthropology and Archaeology, or Relativism and Justice for All", that Thomas Jefferson was not advocating individual rights at the expence of community-oriented rights. Salmon mentions that the moral philosopher Francis Hutcheson had greater influence upon Thomas Jefferson's thought than John Locke, and that Hutcheson's views were closer to Hume's than Locke's. Rather than regarding rights as "residing in individuals", Hutcheson saw rights "based on persons' membership in a community and that rights existed for the benefit of the community." Salmon explains that these ideas are particularly appropriate when considering American history and the many Europeans who came to the United States to escape religious persecution in Europe. Salmon writes: "The right to freedom of religion is clearly based on membership in the (religious) community and benefits the community by protecting it from persecution. In the absence of the community, the individual simply cannot practice his or her religion." see Merrilee H. Salmon, "Ethical Considerations in Anthropology and Archaeology, or Relativism and Justice for All", *Journal of Anthropological Research*, Volume 53, Number 1, Spring 1997. p.47-63. see also G. Wills, *Inventing America: Jefferson's Declaration of Independence*, Doubleday, New York, 1978.

Declarations of the Rights of Man and Citizen (1789 and 1793).[66] They speak a similar language of "Human Rights" as that which is embodied in the Universal Declaration of Human Rights (1948). While it is the French Declaration of 1789 which provides the basis for the inviolable rights of man by expressing concern for sovereignty, law, distribution of powers, fair justice, and last, but not least, 'freedom'; it is Thomas Jefferson whose voice we hear at the beginning of the Universal Declaration of Human Rights with the words: "*Whereas* recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,..."[67] It is safe to say that the United States and French Revolutions led to a new political era; one in which the roles of the individual and that of the state radically changed.[68]

For the individual, "natural rights" created a barrier that the government was forbidden to pass. Powers of the state were to be controlled by a new legal vehicle called due process of law. Due process of law requires the state be subject to the rule of law. Actions by the state must conform with the established legal procedures. Due process also requires a judiciary free of state control or influence. It was by elevating the rule of law to a position superior to the state that the foundations for modern

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[66] The documents produced in France and the United States at the end of the eighteenth century influenced the written contents of many future constitutions, including that of Spain (1812), Norway (1814), and Liberia (1847). see David Weissbrodt, "Human Rights: an historical perspective", *Human Rights*, Peter Davies (editor), Routledge, London, 1988.

[67] see the Universal Declaration of Human Rights (A/RES/217 A (III)).

[68] see Adamantia Pollis and Peter Schwab (editors), *Human Rights: Cultural and Ideological Perspectives*, Praeger Publishers, New York, 1980. Chapters 1 and 2.

democracy were laid. In a democracy, the state is dependent upon the consent of the governed. By the beginning of the nineteenth century, the 'Western' conception of "Human Rights" had already been established as one with a focus on individual rights, while relying upon the legal-judicial system for its promotion.

International Cooperation

Multinational concern for "Human Rights" began at the Congress of Vienna in 1815 (excluding the bi-lateral Treaty of Paris of 1814 between the British and French governments to suppress the traffic of slaves) at which the practice of slavery was condemned by Austria, France, Great Britain, Portugal, Spain, Sweden, and Russia.[69] The Abolition Act of 1833 officially ended slavery in the British Empire; and in 1841, the Treaty of London (another treaty to abolish slavery) was signed by Russia, France, Prussia, Austria, and Great Britain; but it was the Conference of Berlin on Central Africa of 1885 which resulted in fifteen European nations agreeing to forbid slave trading. (It was at this same conference that Europeans consolidated their colonisation of Africa and began to formally draw up its boundaries.) At the Brussels Conference of 1890, another anti-slavery Act was signed; this time the United States, Turkey, and Zanzibar were signatories, along with various European nations.

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[69] Abdul Aziz Said, *Human Rights And World Order*, Praeger Publishers, New York, 1978. p.2. Let it be known that the practice of slavery continues this very day, while the international community continues to turn a blind eye - most notably in Mauritania and Sudan. A conference took place in the spring of 1995 on this very topic at Columbia University in New York City. It is encouraging that people are showing some concern about this issue that has been kept much too quiet.
Slavery was recognised as an illegal practice in England as a result of the *Somersett case* of 1772. It was not abolished in the United States until 1863 and Brazil in 1880.

"The General Act of the Brussels conference was the most comprehensive instrument on the subject (of slavery) until the outbreak of the First World War".[70]

During this time, in addition to proposals and treaties calling for the abolition of slavery and the slave trade, there arose serious concern for the protection of minority groups and those wounded as a result of armed warfare. After personally witnessing the battle of Solferino (1859), and horrified by the violence and bloodshed it produced, Henry Dunant (Swiss philanthropist) co-founded with Geneva lawyer Gustave Moynier and others the *Comité International et Permanent de Secours aux Blessés Militaires.* Dunant later organised a conference, with representatives from sixteen nations, which was eventually to result in the creation of the International Red Cross and the signing of the Geneva Conventions in 1864 by twelve states. The Geneva Conventions "undertook to respect the immunity of military hospitals and their staff, to care for sick and wounded soldiers whatever their nationality, and to respect the emblem (Swiss flag in reverse - a red cross on a white background) of the Red Cross".[71] The Geneva Conventions were revised in 1906 and 1929. Through the Hague Peace Conferences of 1899 and 1907, the Geneva Conventions were extended to the protection of those sick and wounded in naval warfare.[72] In addition, the Hague

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[70] A.H. Robertson, 1982. p.16.

[71] Ibid. p.17.

[72] "The Hague Convention No.III of 1899 extended the provisions of the original Geneva Convention to maritime warfare; when the latter was revised in 1906, its principles were extended to war at sea by the Hague Convention No.X of 1907." see Ibid. p.18
Four new conventions were introduced in 1949. They were influenced by the treatment of prisoners and civilians during World War II by the Germans and Japanese. Three of them reaffirmed the previous conventions, while the fourth was mainly concerned with

Convention No. IV of 1907 provided the legal basis for the other chief function of the International Red Cross -to provide care for the prisoners of war (POWs).

The protection of minorities became an issue of particularly large concern in Europe as its countries were redrawing their boundaries to comply with the World War I peace settlement in 1919. "Generally speaking, the various arrangements for the protection of the rights of minorities provided for equality before the law in regard to civil and political rights, freedom of religion, the right of members of the minorities to use their own language, and the right to maintain their own religious and educational establishments."[73] However, international enforcement was still in its infancy, thus it remained virtually impossible for individuals to take action at the international level. Ultimate protection of the rights of minorities was placed under the responsibility of the League of Nations.

At the close of World War One, the 1919 Peace Conference at Versailles (France) lead to the foundation of the League of Nations.[74] One of the principle champions of this new international organisation, President Woodrow Wilson of the United States, stressed the need to prevent any military aggression and promote national self-determination. (President Wilson's strong push for the

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"the treatment of civilians in wartime". see Robert Famighetti (editor), *The World Almanac And Book Of Facts: 1996*, Funk & Wagnalls Corporation, Mahwah (NJ), 1995. p.845.

[73] Ibid. p.19-20.

[74] Also in 1919, the International Labor Organisation (ILO) was founded. The ILO, an autonomous organisation associated with the League of Nations, was founded in the realisation that universal peace "can be established only if it is based upon social justice". Its aims are the promotion of employment by improving labor conditions and living standards.

United States' inclusion as a League of Nations member was defeated by the American Senate.)[75] The maintenance of fair and humane working conditions, and just treatment for the indigenous inhabitants of colonies was the League's primary humanitarian focus, but the chief function of the League of Nations was the preservation of world peace, and ensurance for the territorial integrity of its member states. By 1929, League membership reached a high of sixty-nine members (nation-states).[76]

Several treaties, including the Saint Germain-en-Leye Treaty of 1919 and the 1926 Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (which some say was the first major international treaty calling for the abolition of slavery) were concluded emphasising minorities rights to life, liberty, freedom of religion, and complete equality with other nationals of the same state. As mentioned earlier, enforcement for the protection of linguistic, racial, and religious minorities was placed in the hands of the League of Nations. In the end though, the League failed as a result of its inability to enforce its own principles regarding the collective defence of any of its members. The most obvious examples of the League's ineffectiveness were the Japanese invasion of China in 1931 and the Italian invasion of Abyssinia in 1935.

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[75] It is interesting to note that a large portion of the European map was redrawn according to Woodrow Wilson's doctrine of self-determination. This doctrine continues to play a major role in territorial disputes today. see Woodrow Wilson's Fourteen Points.

[76] Hermann Kinder and Werner Hilgemann, *Atlas Histórico Mundial II: De la revolución francesa a nuestros días*, Deutscher Taschenbuch Verlag GmbH & Co., Madrid, 1992. p.159-161.

The League of Nations was not a complete failure however as it did succeed in establishing the Permanent Court of International Justice in 1920. The Court was active from 1922-1939, dealing with a total of 107 cases. The Permanent Court of Justice provided for the first time "an international tribunal, having a corporate character, before which a state could bring a dispute by means of a unilateral application calling upon another state to appear before it, without there being any need for the parties to the dispute to reach a prior agreement on the composition of the tribunal and the questions to be submitted to it".[77]

The Permanent Court of Justice originated from the Hague Peace Conferences of 1899 and 1907. The Permanent Court of Arbitration was established at the first conference; its objective to ensure a peaceful settlement of international differences and disagreements. Unlike the Permanent Court of Justice, the Permanent Court of Arbitration remains in operation to this day.

The International Court of Justice was later founded at the expense of the Permanent Court of Justice. At the Dumbarton Oaks proposals in 1944, it was felt that an international court should be part of the forthcoming charter (what would become the future Charter of the United Nations). In San Francisco, at the United Nations Conference on International Organisation (1945), a new

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[77] United Nations, *The International Court of Justice*, Office of Public Information, New York, 1965. p.3.
There are a number of important landmarks leading to the establishment of the International Court of Justice. see Sir Arnold D. McNair, "The International Court of Justice", The Holdsworth Club of the University of Birmingham, 1949. see also Philip C. Jessup, "The International Court of Justice of the United Nations", *Foreign Policy Reports*, Volume XXI, Number II, August 15, 1945, New York. p.154-166. see also 84th Congress, 1st session, *The International Court Of Justice*, Staff Study No.8, Subcommittee On The United Nations Charter, Washington DC, 1955.

International Court of Justice was favoured over continuing the Permanent Court. The major difference between the two courts is simply that the new Court was established as a principle organ of the United Nations, whereas the Permanent Court was never an intrinsic part of the League of Nations.

"Human Rights" in the 'Modern' (or Post-World War II) Era

"Modern human rights law emerged at the end of the Second World War in response to the atrocities and massive violations of these rights witnessed during the conflict."[78] No longer did people want to live through and/or witness human destruction and humiliation, as evidenced by the Nazi Holocaust, Japanese invasion of China, and American bombing of Japan, on such a massive and unprecedented scale. What came out of the horrors of war, which directly lead to the creation of the United Nations, was a recognised link between the respect for "Human Rights" and peace.

The first step towards the founding of the United Nations took place with the Dumbarton Oaks Proposals, drawn up in 1944, in order to "facilitate solutions of international economic, social and other humanitarian problems"[79] and "promote respect for human rights and fundamental freedoms."[80] It was thought that a General Assembly should bear responsibility for the enforcement of these proposals. The Dumbarton Oaks Proposals led the way for the United

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[78] The United Nations Blue Books Series, Volume VII, *The United Nations and Human Rights: 1945-1995 With an introduction by Boutros Boutros-Ghali, Secretary-General of the United Nations*, United Nations, Department of Public Information, New York, 1995. p.3.

[79] United Nations, 1984. p. 2.

[80] Abdul Aziz Said, 1978. p.3.

Nations Conference on International Organization in San Francisco in 1945.

Creating a document embodying a 'universal' set of "Human Rights" was discussed seriously for the first time amongst those of the international political community at the Conference in San Francisco. The conference prepared and opened for signature and ratification the Charter of the United Nations. The Charter, signed on 26 June 1945, "is the first international treaty whose aims are expressly based on universal respect for human rights".[81] The Charter states that the purposes of the United Nations, amongst others, include the achievement of "international cooperation in solving international problems of an economic, social, cultural, and humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion".[82]

While there are many references to the promotion of "Human Rights" throughout the Charter, this was not the original intention of the major powers -the United States, the United Kingdom, France, and the Soviet Union. It was only by the non-stop lobbying of delegations from the 'less' powerful countries involved at the Conference in San Francisco that ensured "Human Rights" have a prominent place in the Charter of the United Nations.

Another proposal, lead by Panama, was the inclusion in the Charter a Bill of Rights or Declaration on the Essential Rights of Man. This proposal was put on hold until January 1946, when at the

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[81] Ibid. p.5.
[82] see the Charter of the United Nations.

first part of its first session in London, the General Assembly "considered a draft Declaration of Fundamental Human Rights and Freedoms and transmitted it to the Economic and Social Council for reference to the Commission on Human Rights in its preparation of an international bill of rights."[83] The term "International Bill of Rights" was decided upon in 1947 by the Commission on Human Rights, lead by Mrs. Eleanor Roosevelt, to include "a declaration of human rights, a convention on human rights, and measures of implementation, and to call the convention "The Covenant on Human Rights"."[84]

On 10 December 1948 the General Assembly of the United Nations formally adopted the Universal Declaration of Human Rights[85] and proclaimed it "as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these

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[83] United Nations, 1984. p.24.

[84] Ibid.

[85] Traditionally, "Human Rights" was referred to as "Rights of Man" and "Natural Rights". Thomas Paine is credited by many with being the first to use the term "Human Rights", in his English translation of the French Declaration of The Rights of Man and Citizen. Eleanor Roosevelt (wife of former American president, Franklin Delano Roosevelt) suggested the term "Human Rights" be used for the Universal Declaration Of Human Rights. The term was subsequently utilised in its English text. The French text uses "*Droits de l'Homme* " ("Rights of Man").
Throughout this chapter, I have used the words "man" and "human" somewhat interchangeably. My choice of words generally reflect their use in the literature I cite. It would be foolish, however, to say that "man" always meant "human". It must be noted that most philosophers of the seventeenth, eighteenth, and nineteenth centuries, and indeed throughout recorded history, did not concern themselves with women. One important philosopher that did was John Stuart Mill in his work, *The Subjection of Women* (1869). Inalienable rights were largely rights of men, not women. An important work on this subject is Mary Wollstonecraft's *Vindication of the Rights of Women* (1792). She wrote on "the desirability of an equal participation by all men and all women in common rights and common duties". see Margaret Tims, *Mary Wollstonecraft: A Social Pioneer*, Millington Books Ltd., London, 1976. p.145.

rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observation, both among the peoples of the Member States themselves and among the peoples of territories under their jurisdiction."[86] The Universal Declaration of Human Rights was overwhelmingly approved at the General Assembly in 1948, with forty-eight nations (votes) in favour (including Ethiopia, India, and Panama), eight abstentions (6 East European, South Africa and Saudi Arabia), and no votes against. All members (one hundred and eighty five of them as of September 1995) of the United Nations are obligated to adhere to the tenets of this document, although it is not legally binding. As of today, there remains no mechanism for passing United Nations legislation into binding law.[87]

Eighteen years were to pass before two conventions were completed to accompany the Universal Declaration of Human Rights, and thus collectively form the International Bill of Rights. On 16 December 1966, the General Assembly unanimously adopted the International Covenant On Economic, Social And Cultural Rights and the International Covenant On Civil And Political Rights. The Optional Protocol to the International Covenant On Civil And Political Rights was adopted on the same day by majority vote. During the eighteen years debates took place in the General

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[86] United Nations, 1984. p.25. see the Universal Declaration of Human Rights (A/RES/217 A (III)).

[87] "Legislation in this strict sense does not yet exist at the international level; but a decision by the International Court, or an overwhelming majority for a new Convention at a conference at the UN, come fairly close to it." Because United Nations legislation is not subject to binding law, the enforcement of decisions reached by the International Court remains a difficult task. see Evan Luard, "The Legal Institutions: Laying Down the International Law", *The United Nations: How it Works and What it Does* (Second Edition, Revised by Derek Heater), The Macmillan Press Ltd., Hampshire (UK), 1994. p.87.

Assembly regarding whether there should be one or two covenants, and how much the covenants should be used to simply reinforce the message of the Universal Declaration of Human Rights. It was decided on 5 February 1952 that there should indeed be two covenants, but there remained those who favoured one comprehensive covenant on the grounds that 'rights' should not be categorised nor ranked in an order of importance. However, the majority in the General Assembly felt that civil and political rights were intrinsically different from economic, social, and cultural rights on grounds that the former relate to "the individual's rights *vis-à-vis* unlawful or unjust action by the State, whereas the latter represent rights which the State would be called upon to promote through positive action".[88] Regarding the contents of the two Covenants, the General Assembly reached the decision that "the Covenants should be neither a recasting of the Universal Declaration of Human Rights nor a compendium of all civil and penal codes and all social or educational legislation".[89] The Covenants and Optional Protocol entered into force after ratification ten years later in 1976.[90]

The Teheran International Conference on Human Rights took place in the spring of 1968. 1968 was designated as the International Year for Human Rights, celebrating the twentieth anniversary of the adoption of the Universal Declaration of Human Rights. The Proclamation of Teheran, adopted on 13 May 1968,

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[88] The United Nations Blue Books Series, Volume VII, 1995. p.43.

[89] Ibid. p.45.

[90] On 15 December 1989, a Second Optional Protocol to the International Covenant On Civil And Political Rights was put forth. It calls for the abolition of the death penalty.

reaffirmed the message of the International Bill of Rights and emphasised that progress in economic and social development is necessary for the improved implementation of "Human Rights".

The next major international conference on "Human Rights" was held twenty five years later in Vienna. As I mentioned earlier, this conference attracted an unprecedented amount of participation from around the globe. Pushing for "universality" and the "equality", yet "interdependence", of all "Human Rights" were the chief thrusts of the opening address by Secretary-General Boutros Boutros-Ghali and the Vienna Declaration and Programme of Action, adopted by the General Assembly on 25 June 1993. Boutros-Ghali, in his address, characterised "Human Rights" as "the quintessential values through which we affirm together that we are a single human community".[91]

Conclusion

It must be understood that the concept of "Human Rights" employed in drafting the Universal Declaration of Human Rights, and to lesser extents in other United Nations documents and the three major regional conventions (European Convention on Human Rights (1950), American Convention on Human Rights (1969), African Charter on Human and Peoples Rights (1981)), is largely based on the past experiences of only three nations: France, the United Kingdom and the United States. However, representatives from Australia, Chile, China, Lebanon, and the Soviet Union all took part (along with those from France, the United Kingdom, and the United States) on the

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[91] The United Nations Blue Books Series, Volume VII, "Address by Secretary-General Boutros Boutros-Ghali, delivered at the opening of the World Conference on Human Rights, Vienna, 14 June 1993 (A/CONF.157/22, 12 July 1993)", 1995. p.442.

drafting committee of the Universal Declaration. Some may point out that both the Chinese representative (Chang Peng-Chung) and the Lebanese representative (Charles Habib Malik) were educated in American Universities, thus ensuring the contents of the Universal Declaration are such that have an overwhelmingly 'Western' slant;[92] but diplomatic representatives from any nation generally come from very privileged backgrounds, so it should not be surprising that Mr. Chang and Mr. Malik studied in the United States. The fact that the majority of the best and most prestigious universities in the world are either American or European is another matter completely. One must realise that the San Francisco Conference took place at a time when most of today's 'developing world' was still under colonial domination. I believe this to be the biggest reason of such prevalent 'Western' one-sidedness; not only with the drafting of the Universal Declaration of Human Rights, but with the United Nations as an institution -especially the first few years. For example, in 1950,

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[92] Abdullahi Ahmed An-Na`im mentions that the Chinese and Lebanese representatives were the only two who were from 'non-Western' countries. Although I agree with him not to include the Chilean representative with the other two, given the strong West European -particularly British- and American influence on Chilean political history and thought, I disagree with his decision not to include the Soviet representative. From the time World War I concluded till 1991 (December 26), the United States and the Soviet Union waged an ideological war; regardless of its merits. This war was understood in the context of East (the Soviet Bloc) versus West (North America and Western Europe). Even though the major philosophical influence upon Soviet thought was a European -Karl Marx, the communist rhetoric is much closer with that of developing nations seeking more attention be paid to the areas of development, and economic and social rights -as opposed to civil and political rights. The argument of individual ("negative"-Civil and Political) versus communal ("positive"-Economic and Social) rights can be used in the contexts of both East versus West and North ("Developed World") versus South ("Developing World"). The only argument I can see for the Soviet Union not being included as 'non-western' is that it was considered one of two "superpowers", along with the United States. see Abdullahi Ahmed An-Na`im, "Problems Of Universal Cultural Legitimacy", *Human Rights In Africa: Cross-Cultural Perspectives*, Abdullahi Ahmed An-Na`im and Francis M. Deng (editors), The Brookings Institution, Washington DC., 1990.

the only independent nations in Africa were Egypt, Ethiopia, Liberia, and Union of South Africa.[93]

The major criticism of the Universal Declaration of Human Rights, arguably the most significant international document on "Human Rights", is that its roots lie almost exclusively with 'Western' philosophy and in Western Europe's experience from the seventeenth century onward. This should not in any way be viewed as an implication that "Human Rights", itself, came from the 'West'. As I mentioned earlier, no "people" or "place" can lay sole claim to inventing the notion of "Human Rights". One need not argue that the doctrine employed by the United Nations for a universality of "Human Rights" is a geographically born 'Western Concept'. Whether or not all of the worlds traditions, practices, and lifestyles can (and some might ask, should) peacefully coexist adhering to this 'Western' based concept is another story.

Anthropologists, in particular, have been amongst the quickest to question the legitimacy of applying a 'Western' based ideology on

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93 By 1960, the majority of the continent was free from colonial rule; however, the continent of Africa was virtually powerless within the United Nations during the first few years of the latter's existence. For a detailed and informative, yet slightly dated, look at the relationship between the continent of Africa and the United Nations I suggest Thomas Hovet Jr.'s work, *Africa in the United Nations*. He opens the book in stating: "Since 1946 the United Nations and the continent of Africa both have undergone intrinsic and organic changes. The United Nations of 1962 is a significantly different organisation from that conceived in San Francisco in 1945. The political image of Africa in 1962 was the reverse of the pattern of colonial domination prevalent in Africa seventeen years earlier. To a considerable degree these major changes in the United Nations and Africa were the result of the effect each had on the other. Such interaction could hardly have been foreseen by the participants at the San Francisco Conference. They might have conceived that the United Nations would have an influence on the future of Africa. It would have been difficult for them to imagine, however, that the future character of the United Nations itself might be shaped by events in the so-called dark continent." see Thomas Hovet, Jr., *Africa in the United Nations*, Northwestern University Press, Evanston (Illinois), 1963. p.3.

to the world's population as a whole. This, and other topics, will be discussed in the next chapter as I look at how anthropologists -primarily educated and based at 'Western' institutions- have treated the growing issue of "Human Rights".

II

"Human Rights" In Anthropology: How have anthropologists dealt with the issue of "Human Rights"?[94]

Words of hope, justice, and compassion.

"Never doubt that a small group of thoughtful committed citizens can change the world, indeed it's the only thing that ever has."[95]

Margaret Mead.

"A person may cause evil to others not only by his actions but by his inaction, and in either case he is justly accountable to them for the injury."[96]

John Stuart Mill.

"One of the great lessons of cultural anthropology is that through empathy, it is possible to know and even feel the plight of others....indeed, when any individual is denied the full measure of his or her dignity and rights as a human being, every single one of us is diminished."[97]

Johnetta B. Cole.

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94 In general, this chapter focuses on European and American anthropologists.

95 The quote is by Margaret Mead and used on a pamphlet distributed by the Human Rights organisation, Survival International (Survival for tribal peoples).

96 John Stuart Mill, *On Liberty*, World Classic edition, Oxford Press, Oxford (UK), 1948. p.17.

97 Johnetta B. Cole, "Human Rights and the Rights of Anthropologists", *American Anthropologist*, Vol.97 No. 3, 1995. p.447.

Prelude

The discipline of "(Social) Anthropology...seeks to explain how and why people are both similar and different...of existing human societies."[98] It is precisely this study of similarities and differences of the world's existing societies which is needed, and I believe has so far been sorely lacking, if the concept of "Human Rights" -as spelt out in the international documents on "Human Rights" (particularly those of the United Nations)- is to ever achieve its intended purpose or aim of truly representing the world's cultural diversity. The 'universal' concept of "Human Rights" as understood in the international political arena, however 'Western' in origin, is an evolving and expanding concept.[99] The natural tendency of increasing internationalisation -politically, economically, culturally, etc...- has helped to open up the 'Western' concept of "Human Rights" to be more inclusive of the cultures of 'non-Western' and 'third world' peoples.[100] However, until there is such a document embodying 'universal' principles which truly and equitably represents the peoples and cultures of this planet there remains work to be done on this objective; and I believe this work can most effectively be achieved with a strong role played by anthropologists.

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[98] Michael C. Howard, *Contemporary Cultural Anthropology*, Harper Collins College Publishers, New York, 1993. p.1.

[99] I do not necessarily believe that the concept of 'universalism', itself, is 'Western' in origin. Traditions from all over the world, including most religions, call for 'universal' brotherhood and sisterhood.

[100] "A top-down or global perspective on human rights involves the appreciation 1) of the ever-growing complexity of interconnections of issues and 2) of the interdependence of humanity. Progressively the world continues to become interdependent: economically, environmentally, politically." see Douglas P. Fry, "Conflict, Peace & Human Rights", Paper presented at the American Anthropological Association Meetings, Atlanta (GA), Dec.1, 1994. p.5.

The biggest reason relates to Anthropology's international outlook, or what I like to call Anthropology's "wide angle lens". As Douglas Fry stated at the American Anthropological Association annual conference in 1994: "Anthropology, perhaps the social science with the broadest scope, has a special contribution to human rights and peace issues. Perhaps the single most important relevancy of anthropology to conflict and human rights concern is its global perspective."[101] In trying to achieve a 'universal' standard of "Human Rights" which is fair to all peoples, it is necessary to search for the commonalties which bind all of us, as humans, together in humanity. So, what can anthropologists do? Franz Boas, a founding father in Anthropology's first "Human Rights" advocacy movement at the turn of the century, asserted that: "It is our (anthropologists) task to discover among all the varieties of human behaviour those that are common to all humanity. By a study of the universality and variety of cultures anthropology may help us to shape the future course of mankind."[102]

Anthropology, both as a scientific and humanistic field,[103] and being concerned first and foremost with today's world and peoples

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[101] Douglas P. Fry, Dec.1, 1994. p.11.

[102] Franz Boas, "The Aims Of Anthropological Research", *Race, Language, and Culture*, The University of Chicago Press. Ltd., London, 1982. p.259.

[103] Ino Rossi, John Buettner-Janusch, Dorian Coppenhaver, *Anthropology Full Circle*, Praeger Publishers, Inc., New York, 1977. see George D. Spindler's chapter, "What Is Anthropology?". In talking about the dual nature of Anthropology as a science and humanity, Spindler describes anthropological methods as sometimes "objective, precise, (and) rigorous", and other times as "empathetic, intuitive, and almost literary in quality." I do not intend to tackle the issue of whether Anthropology is a science or humanity in this thesis. Personally, I view Social Anthropology more as an art or humanity because social anthropologists interpret cultures. We cannot with any precision quantify or mathematically calculate a society, culture, or aspects thereof.

(as opposed to the study of peoples and cultures of the past), can contribute in manners that are precise and with feelings about current topics of incalculable importance to the development, evolution, and improvement of a 'universally' acceptable doctrine of "Human Rights". The opinions of anthropologists concerned with "Human Rights", wherever they stand in the "relativism"/ "universalism" debate,[104] should be of great interest to those involved in international political and "Human Rights" discourse because of the intense and hands-on research methods routinely employed by anthropologists in studying contemporary societies -especially those of the developing world. It is these very societies, international policy makers swear they are interested in giving an increasing voice to, that are most thoroughly researched and best known to anthropologists, who have a history of studying peoples rarely studied. As Theodore E. Downing and Gilbert Kushner write in the "Introduction" to *Human Rights and Anthropology* : "Anthropologists' concern for precise reporting, replicating observations, preserving linguistic and conceptual clarity and reducing observer bias provides an alternative -if not more accurate- view on the human condition than that obtained from

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Regarding the topic of "cultural relativism" within the debate of Anthropology's status as a science or humanity, Wilcomb E. Washburn (Smithsonian Institution) asserts that: "As the faith of anthropologists that the doctrine of cultural relativism would solve the world's practical problems has faded so have the claims for anthropology's scientific status." see Wilcomb E. Washburn, "Cultural Relativism, Human Rights, and the AAA", *American Anthropologist*, Vol.89. No.4, Dec. 1987. p.941.

104 "Univeralism" should not necessarily be understood to mean a particular doctrine in line with principles put forth by the United Nations. Ideas of "universalism" existed long before the advent of the United Nations.

political institutions charged with administering a people, the press and other perspectives."[105]

Anthropology is arguably the most neglected of the academic based disciplines employed in analysing "Human Rights" and its 'universal' applicability, especially from the point of view of the 'ordinary' people.[106] Anthropologists have a tradition like no other social scientists. They go out into the field, meet face to face with the people they are studying, and actually make an effort to live with the poor of the poor, the have-nots of the have-nots.[107] It is only by communicating with *the people* that one gets a sense of the meaning "Human Rights" has within a particular culture -if in fact it has a meaning at all- and the relationship this meaning has with the particular culture's concept(s) and idea(s) of what it means to be h u m a n. In commenting on the [potential] contributions anthropologists can offer, Sybil Wolfram explains: "Anthropologists are acutely aware of the wide actual and potential diversity of beliefs, customs and practices of different societies, and they are less prone than others to suppose that their own society, much less

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[105] Theodore E. Downing and Gilbert Kushner, "Introduction", *Human Rights and Anthropology*, Theodore E. Downing and Gilbert Kushner (editors), Cultural Survival, Inc., Cambridge (MA), 1988. p.2.

[106] I do not want to infer that Anthropology by itself is the best way to approach the field of "Human Rights". I believe firmly in a multi-disciplinary approach to all problems related with the social sciences- "Human Rights" in particular. By "'ordinary' people", I am referring to average citizens in the world who, by themselves as individuals, have little or no influence in politics or economics -national or international.

[107] Probably the biggest reason I switched to Anthropology for my doctorate, from Economics and Politics as an undergraduate, was the stress it puts on the voices of the ordinary people. On account of their emphasis on fieldwork, anthropologists have the opportunity to get much more directly (personally) involved in their research because of the relationships they build with the people they are studying.

some political party within it, enjoys a monopoly of truth or morality."[108]

Because of participant observation being a primary method of anthropological study, research can get deeply personal. It is only natural that the anthropologist, as a human being, befriend some of his/her informants and interviewees, and vice versa.[109] But beyond the personal relationship with people is the close relationship the anthropologist develops with issues (usually political in nature); issues that concern the very people the anthropologist is studying, and the forces they are up against. By forces, I am referring to anything that can have such an adverse effect where the survival of cultures and peoples are at risk -for example, military dictatorship, deforestation, etc....

The topic of "Human Rights" in the political arena -on national and international levels- has been trapped, for the most part, within political and legal discourse. People (or social) oriented disciplines,[110] such as (Social and Cultural) Anthropology and Sociology, have been virtually left out of the "Human Rights" picture. This is partly the fault of the many anthropologists unwilling to

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[108] Sybil Wolfram, ""Human Rights": Commentary", *Human Rights and Anthropology*, Theodore E. Downing and Gilbert Kushner (editors), Cultural Survival, Inc., Cambridge (MA), 1988. p.107

[109] It is now a couple of years since I have been in the field and I remain in contact with quite a number of the Sudanese I met and interviewed. The reason for keeping in touch with many of my Sudanese friends is the relationship that was formed during our time together. I do feel a special attachment to those who helped me through my fieldwork, and in essence made my doctoral research possible. As a result of this attachment, I am forever concerned with the well-being of those most in need or trouble. I do not mean to sound smug, but at this time I feel I can't not be concerned.

[110] By "people oriented"' disciplines, I am referring to the social sciences which encourage extensive fieldwork and interaction between the researcher and the people studied. Anthropology in particular supports the kind of research that involves extensive contact between the researcher and his/her informants and interviewees.

aggressively engage in "Human Rights" discourse -speaking out on the rights, values, and morals of individuals and the communities these individuals make up within the context of "Human Rights".[111] In reference to anthropologists engaging in advocacy, Hugh Beach (Department of Anthropology, University of Uppsala) remarks that anthropologists have refused "to embroil themselves in political issues at all, only to find their results used (and misused) as weapons by others."[112] One big reason for anthropologists' hesitancy to get involved in the politically oriented "Human Rights" debate has been the influence of "cultural relativism" and, when taken to its extreme -"radical cultural relativism", its complete rejection of the universal "validity of moral rights and rules."[113] Another reason is that getting involved in a particular issue always means the loss of the anthropologist's objectivity and neutrality. Anthropologists feel reluctant to compromise on either. "Cultural

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[111] From conversations I have had with anthropologists from South America, it appears that they have acted more aggressively -willingly and unwillingly- in favour of engaging themselves in "Human Rights" issues. One in particular mentioned that it is expected of anthropologists in South America, especially those studying indigenous peoples, to act as spokespeople for and champion the causes of those they study. A noted anthropologist in favour of this 'expectation' was Bronislav Malinowski when he stated: "It has always appeared to me remarkable how little the trained anthropologist, with his highly perfected technique of field-work and his theoretical knowledge, has so far worked and fought side by side with those who are usually described as pro-native. Was it because science makes people too cautious and pedantry too timid? Or was it because the anthropologist, enamoured of the unspoiled primitive, lost all interest in the native enslaved, oppressed, or detribalised? However that might be, I for one believe in the anthropologist's being not only the interpreter of the native, but also his champion." see Bronislaw Malinowski, "Introduction", *The Savage Hits Back*, by Julian Lips, University Books, New Hyde Park (NY), 1966.

[112] Robert Paine (editor), *Advocacy And Anthropology: First Encounters*, Discussion 2, Institute of Social and Economic Research, Memorial University of Newfoundland, St. Johns, Canada,1983. p.31.

[113] Jack Donnelly, *Universal Human Rights In Theory And Practice*, Cornell University Press, Ithaca (NY), 1989. p.109. Donnelly defines "radical cultural relativism" as "the sole source of the validity of a moral right or rule." Its opposite, he logically calls "radical universalism".

Anthropology has traditionally taught that the study of difference in customs and norms should be objective and value-free."[114] I argue that in the case of my research there is no such thing as a neutral stance. Sudan has been in a state of war for more than thirty of the last forty years. In addition, Sudan has been criticised by numerous governments, the United Nations, and non-government "Human Rights" research and advocacy organisations as a country ripe with "Human Rights" violations. Based from meetings with all of the Sudanese I have met, it is impossible for me not to form my own opinions on the "Human Rights" situation in Sudan, and in one way or another, take sides on particular issues. I believe if I am silent on issues relating to the situation of "Human Rights" in Sudan, then I am siding with the *status quo*. The *status quo* in Sudan is something I am definitely not taking sides with. To know someone who has suffered from unjust treatment, accept their hospitality, use them to gather information for a research project, and then say nothing is unethical in my opinion. For an anthropologist to not speak out on or ignore "Human Rights" abuses when they have first-hand information on these abuses is simply inexcusable.

There are also several problems outside of the academic domain particularly encountered by anthropologists. Accountability, on the part of the anthropologist for his/her work, can be much more explicit outside of academia -for example, working for a government or an influential NGO- than it is inside academia, "where the public

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[114] Carolyn Fluehr-Lobban, "Negotiating The Terrain Between Cultural Relativism and Universal Human Rights", Paper presented at the American Anthropological Association Meetings, Washington, D.C., Nov.15, 1995. p.1.

constituency to whom one is responsible is mankind".[115] An anthropologist's stance of [supposed] "'emotional neutrality' and a clinical attitude toward social knowledge does not mesh well with the policy maker's advocacy stance toward decisions."[116] Until recently, there was also the difficulty with political and legal experts acknowledging the importance and relevance of cultural studies to the subject of "Human Rights" in international politics.[117] Anyone can verify this by looking up the professions of the authors and contributors of books on "Human Rights". Overwhelmingly, the authors are political scientists and lawyers, with very few references in any of the books to anthropologists and Anthropology.[118] The subject of "Human Rights" has largely been bogged down in political, philosophic, and legal rhetoric. In answering his own questions such as: What is the anthropologist's role in searching for the meaning of "Human Rights" in different cultures?, and What are the necessary economic and political conditions needed for their realisation?; Georg Henriksen (President of the International Work Group on Indigenous Affairs and

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115 Robert E. Hinshaw, "Anthropology, Administration, And Public Policy", *Annual Review Of Anthropology*, Vol. 9. 1980. p.504.

116 Ibid.

117 In early August, 1995, I had an informal conversation with a senior fellow at the Brookings Institution in Washington DC. I asked him some questions about the possibilities of employment for anthropologists, interested in "Human Rights", in major international political institutions -like the United Nations for example. He responded that twenty or thirty years ago, almost all of the acknowledged experts (affiliated with major international institutions) were lawyers by training; but that today, prospects for anthropologists in this field are growing, and anthropology is gaining recognition as a necessary component of the "Human Rights" discourse.

118 Jason W. Clay argues: "The field of anthropology today lacks academic and professional leadership to push the profession ..., as evidenced by the dearth of articles, books or courses on the topic." see Jason W. Clay, "Anthropologists and Human Rights - Activists by Default?", *Human Rights and Anthropology*, Theodore E. Downing and Gilbert Kushner (editors), Cultural Survival, Inc., Cambridge (MA), 1988. p.117.

Department of Anthropology, University of Bergen) replied that anthropologists should not allow lawyers to carry out the research themselves.[119] In other words, anthropologists have a duty to get involved in issues concerning "Human Rights" because anthropologists, as a result of working close with peoples vulnerable to exploitation and abuse, have much to contribute -especially relating to peoples threatened customs, traditions, and modes of survival- to the on-going international "Human Rights" debate and discourse.

What does an anthropologist do when he/she observes a society where 'freedoms', according to his/her beliefs, are taken away or not permitted? What happens when an anthropologist comes across someone who has been severely punished/beaten simply for not conforming to a social norm of their community; the same community the anthropologist is studying? What does an anthropologist say when the government of the nation they are conducting research in routinely tortures its political opponents? How does an anthropologist respond when the region they are working in is in the midst of civil war? As Richard Wilson (University of Sussex) explains: "Anthropologists have usually been the last to respond to armed confrontation between the modern nation-state and social groups. There have been some notable exceptions but the historical tendency is clear: most anthropologists working under such conditions have discreetly avoided serious

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[119] Georg Henriksen, "Anthropologists as Advocates- Promoters of Pluralism or Makers of Clients?", *Advocacy And Anthropology :First Encounters*, Robert Paine (editor), Institute of Social and Economic Research, Memorial University of Newfoundland, St. Johns, Canada, 1983.

investigation of modern wars."[120] One notable exception has been Wendy James at Oxford.[121] Her most recent pieces have examined the situation of the Uduk in view of their circumstances as refugees along the Sudan-Ethiopian borderland as a result of the Sudanese civil war. Her article, "The names of fear: memory, history, and the ethnography of feeling among Uduk refugees", focuses on the displaced Uduk notion of fear in the context of Uduk remembrance of past violence with displaced Nuer.[122] Rather than recollect and discuss historic triumphs over adversity, James explains that the Uduk "wryly remember prudent retreat and careful acquiescence as a means of survival".[123] In *Sudan: Conflict and minorities*, James traces the Uduk movements, from 1987 onwards, as refugees constantly fleeing for their lives because of the Sudanese civil war.[124] Wendy James, unlike many of her contemporaries, has not shied away from speaking out on "Human Rights" issues. She has clearly demonstrated in her writings her concern for the Uduk and other marginalised groups along the Sudan-Ethiopian borderland who have been seriously victimised by the ongoing Sudanese civil war.

When talking of "Human Rights" violations, the question of the anthropologist's obligation to speak out is usually one that is

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[120] Richard Wilson, 1991. p.1.

[121] Another notable exception is Alex de Waal. He is currently co-director of the organisation African Rights.

[122] see Wendy James, "The names of fear: memory, history, and the ethnography of feeling among Uduk refugees", *The Journal of the Royal Anthropological Institute (Incorporating Man)*, Volume 3, Number 1, March 1997. p.115-131.

[123] Wendy James, "War and 'Ethnic Visibility': The Uduk of the Sudan-Ethiopia Border", *Ethnicity and Cinflict in the Horn of Africa*, Katsuyoshi Fukui and John Markakis (editors), James Currey Ltd., London, 1994. p.142.

[124] see Wendy James, "Southern Blue Nile", *Sudan: Conflict and minorities*, Peter Verney (editor), Minority Rights Group, London, 1995. p.36-38.

avoided. Anthropologists fear getting involved in politically sensitive issues, such as "Human Rights", can jeopardise their freedom to travel and conduct fieldwork. Many feel they cannot afford to get on the wrong side of the government whose country and its people they are counting on for their research. Before going any further, I would like to briefly discuss the history of what role Anthropology has already played with respect to issues concerning "Human Rights"; and within this, emphasise the great influence the doctrine of "cultural relativism" has had on the development of the concern for "Human Rights" in Anthropology. The two can be discussed simultaneously as both have their roots, and have grown in the same historical setting(s).

Early Anthropology and References to "Cultural Relativism"

The theory of "cultural relativism" -"a manner of judging and interpreting the behaviour and beliefs of others in terms of their traditions and experience"[125]- is as old as Anthropology itself. While professional Anthropology is a fairly new field, beginning in only the nineteenth century, Anthropology as an interest or serious hobby dates back to at least the time of the Greek Sophists of the fifth century B.C.[126] The Sophists are particularly noted for their

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[125] Michael Howard, 1993. p.382.

[126] Turn of the century Ethnologist Alfred C. Haddon gives credit to the ancient Egyptians as being the earliest known people to engage in the study of 'peoples'. His opinion is based on Egyptian pictorial representation of different races. In quoting R.S. Poole, Haddon writes: "On the Egyptian monuments we not only find very typical portraits, but also an attempt at classification; for the Egyptians were a scientific people. with a knowledge of medicine, and also skilled mathematicians; therefore their primitive anthropology is not unexpected." see Alfred C. Haddon (helped by A. Hingston Quiggin), *History of Anthropology*, Watts and Co., London, 1910.
"Some scholars argue that the Greeks, Romans and Arabs were the first in formalising anthropological knowledge about human culture. Others suggest that anthropology

encouragement of independent thought in the ancient Greek world. To be a Sophist -derived from the Greek "*sophiste* "- simply meant to be an expert in any (or various) scholarly discipline(s).[127]

Aristotle (384-322 B.C.) is considered the first to make use of the word "Anthropology",[128] and among the first to subscribe to the doctrine of "cultural relativism".[129] Herodotus (484-420 B.C.), one of the larger influences upon Aristotle, is also cited as taking a keen interest in Social Anthropology (and Ethnology);[130] and like Aristotle after him, is recognised as an advocate of "cultural relativism". In Book Three of *Histories*, Herodotus speaks:

"I have no doubt whatever that Cambyses was completely out of his mind; it is the only possible explanation of his assault upon, and mockery of, everything which ancient law and custom have made sacred in Egypt. For if anyone, no matter who, were given the opportunity of choosing from amongst all the nations in the world the beliefs which he thought best, he would inevitably, after careful

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emerged either in the Renaissance or in the Enlightenment. A third group of historians recognise the existence of anthropology only from the nineteenth century onwards when the discipline achieved professional status." see Han F. Vermeulen and Arturo Alvarez Rold án, "Introduction: The history of anthropology and Europe", *Fieldwork and Footnotes: Studies in the History of European Anthropology*, Han F. Vermeulen and Arturo Alvarez Rold án (editors), Routledge, London, 1995. p.4-5.

127 Anthony Flew (Editorial Consultant), *A Dictionary of Philosophy*, Pan Books Ltd., London, 1984. p.330-331.

128 Alfred C. Haddon (helped by A. Hingston Quiggin), 1910. p.14.

129 "Fire burns both in Hellas and in Persia; but men's ideas of right and wrong vary from place to place." The quote is originally from Aristotle's *Nicomachean Ethics*, but taken from *A Dictionary of Philosophy*. see Anthony Flew (Editorial Consultant), 1984. p.303.

130 "...he (Herodotus) has been justly called the Father of Anthropology as well as of History." see E.E. Sikes, *The Anthropology Of The Greeks*, David Nutt, London, 1914. p.7. "Herodotage", "a colloquial name for anthropological literature in which human habits, customs, and beliefs are compared", is a term derived as a result of the material in Herodotus' masterpiece, *Histories*. see Anthony Flew (Editorial Consultant), 1984. p.147.

consideration of their relative merits, choose those of his own country. Everyone without exception believes his own native customs, and the religion he was brought up in, to be the best; and that being so, it is unlikely that anyone but a madman would mock such things. There is abundant evidence that this is the universal feeling about the ancient customs of one's country. One might recall, in particular, an account told of Darius. When he was king of Persia, he summoned the Greeks who happened to be present at his court, and asked them what they would take to eat the dead bodies of their fathers. They replied that they would not do it for any money in the world. Later, in the presence of the Greeks, and through an interpreter, so that they could understand what was said, he asked some Indians, of the tribe Callatiae, who do in fact eat their parents' dead bodies, what they would take to burn them. They uttered a cry of horror and forbade him to mention such a dreadful thing. One can see by this what custom can do, and Pindar, in my opinion, was right when he called it 'king of all'."[131]

Herodotus, noted primarily as a historian, is frequently cited, but not always, as the first anthropologist when discussing Anthropology of the ancient world. His writings go far beyond simply documenting and analysing historical events. His descriptions of 'peoples', in particular Egyptians, Persians, and Ethiopians, show a deep interest in, and some respect for, the cultures and lifestyles of 'others' (non-Greeks).[132] Strabo

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131 Aubrey De Sélincourt (translator) and John Marincola (reviser), *Herodotus: Histories*, Penguin Books Ltd., London, 1972. p.169.

132 see Margaret Mead and Nicolas Calas (editors), *Primitive Heritage: An Anthropological Anthology*, Victor Gollancz Ltd., London, 1954.

(c.63 BC-AD 24), a geographer, Tacitus (56-120), a historian, and Caesar (100-44 BC) are a few of the other big names from the Greco-Roman period noted for their particular interest in Anthropology.

Other 'early' references to "cultural relativism" can be found much later in the writings of Montaigne (1533-92), Hume (1711-1776), and Kant (1724-1804).[133] For example, Montaigne contended: "...each man calls barbarism whatever is not his own practice...for we have no other criterion of reason than the example and idea of the opinions and customs of the country we live in".[134]

Anthropology was also of interest to some famous travellers from the Age of Exploration, such as Marco Polo (1254-1323), Ibn Batatuta (1304-1377), and Joao de Barros (1496-1570). Each provided ethnological material on the peoples they encountered along their travels through remote and distant lands in Asia and Africa. Two particularly noted anthropological 'studies' of this period were Sahagun's (1500-1590) research on Aztec beliefs and customs, and Lafitau's analysis of the Iroquois and Huron Native American tribes of western New York State.

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[133] Alison Dundes Renteln, *International Human Rights: Universalism vs. Relativism*, Frontiers of Anthropology. Vol. 6, Sage Publications Inc., London, 1990. p.68. In remarking that the version of "cultural relativism" put forth by Herskovits -"Evaluations are relative to the cultural background out of which they arise"- is not a new conception, Renteln proclaims one of Kant's greatest contributions to philosophy, and influences upon the modern understanding of "cultural relativism", to be "the idea that our perception of the world is filtered through our preexisting conceptual categories." see Melville J. Herskovits (edited by Frances Herskovits), "Cultural Relativism and Cultural Values", *Cultural Relativism: Perspectives in Cultural Pluralism*, Vintage Books, New York, 1973. p.14.

[134] Clifford Geertz, "Distinguished Lecture: Anti Anti-Relativism", *American Anthropologist*, Volume 86, Number 2, June 1984, Washington DC. p.264-265. also see Tzvetan Todorov, "L'Etre et L'Autre: Montaigne", *Yale French Studies*, "Montaigne: Essays in Reading", Number 64, 1983.

Obviously, with the above noted thinkers, scholars, and explorers, I have not included everyone who is reputed to have subscribed to the doctrine of "cultural relativism", nor to all of those who are said to have been interested in Anthropology. I simply want to point out that not only is "cultural relativism" not a modern innovation, but that both the discipline of Anthropology and the doctrine of "cultural relativism" can be considered to have their roots in the intellectual environment of ancient Greece, more than two thousand years ago;[135] and that "cultural relativism" is a concept which has floated around scholarly circles -primarily 'Western'- since that time.

The Emergence of Professional Anthropology

The nineteenth century witnessed significant developments in the field of Anthropology; developments which would later lead the field into a new era. The *Société ethnologique de Paris* and the English Ethnological Society were founded in 1839 and 1843 respectively. Richard Burton (1821-1890), being one of the most famous of all 'amateur' anthropologists with his travel in disguise trip to Mecca, later founded (with James Hunt) the Royal Anthropological Institute of Great Britain and Ireland in 1863.

The "cultural evolutionist" approach came about mid-way through the nineteenth century, influenced by the theories of evolution already put to use by geologists and biologists. Cultural

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[135] Like with most 'Western' intellectual traditions -such as History, Political Science, Philosophy, Rhetoric, etc...- Anthropology is traced by many back to ancient Greece. This is not to say, however, that all intellectual traditions have their roots in this particular civilisation.

evolutionists believed that humans (and races) evolved over time, like all animal species; thus, as a way to see how Europeans (modern peoples) lived in the past, many peoples from non-European (non-modern) cultures were viewed and studied as "living fossils". "Cultural evolutionism" was considered more scientific and humanistic in comparison to past approaches to the "study of man" which were mainly based on Christian theology.[136] Lewis Henry Morgan (1818-1881), whose writing credits include *League of the Iroquois* (1851) and *Systems of Consanguinity and Affinity* (1871), and Edward B. Tylor (1832-1917), author of *Primitive Culture* (1871), are two of the greatest contributors to this stage of Anthropology; however neither were formally educated or trained anthropologists.[137]

The nineteenth century also witnessed a dramatic increase in the concern for 'other' peoples. Diplomatic, and even military interventions were undertaken on humanitarian grounds; for example, the 1827 invasion against the Ottoman Empire by Great Britain, France, and Russia to halt the Turkish abuse of the Greek population.[138] Anthropology, on the other hand, still had quite a few

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136 "According to one popular theory of the day, humans had been created in a state of perfection, but had degenerated after the expulsion from Eden. Those who believed this theory claimed that some peoples (i.e., non-whites) had "fallen" further than others from the original state of perfection. Another theory held that the Christian God had created the various "races" separately. In this view it was considered no more of a problem to explain the contrast between Africans and Europeans than to show why tigers and monkeys are not alike." see Michael C. Howard, 1993. p.19.

137 Although recognised by some as the "father of ethnology", Edward B. Tylor was an English scholar. Lewis Henry Morgan was academically trained for a career in the legal profession.

138 David Weissbrodt, "Human rights: and historical perspective", *Human Rights*, Peter Davies (editor), Routledge, London, 1988. p.3.

years to go before concerning itself with "Human Rights" abuses. Full-time professional Anthropology only emerged towards the end of the nineteenth century and beginning of the twentieth century; first in museums, and later in academia. The expansion of the colonial powers at this time ushered in a demand for anthropologists to help the colonial 'masters' better to understand their 'subjugated peoples'. For example, anthropologists were employed by the United States government when resettling native Americans on reservations and when help was needed in administering the people of the Philippines. Great Britain, France, and other colonial powers, were similarly interested in using anthropologists as mediators between the colonial administration and the 'natives'. In the case of Sudan, Evans-Pritchard's writings had been a valuable source for the British government in understanding the Southern Sudanese 'tribal' and 'clan' divisions -for example Dinka/Nuer and Nuer (Gaawar)/Nuer (Thiang). In the Preface to his 'classic', *The Nuer,* Evans-Pritchard writes: "My study of the Nuer was undertaken at the request of, and was mainly financed by the Government of the Anglo-Egyptian Sudan, which also contributed generously toward the publication of its results".[139] Many anthropologists, however, were also just genuinely eager to involve themselves with the local 'native' people, learning their customs and lifestyle, especially before these customs were to be wiped out by the colonial administration they were working under.[140]

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[139] see E.E. Evans-Pritchard, 1940.

[140] Michael C. Howard, 1993. p.20-21.

Cultural Relativism: Born Again

The modern understanding of the doctrine of "cultural relativism" was first formulated around the turn of the century by Professor Franz Boas (1858-1942);[141] and subsequently advanced by his pupils, namely Ruth Benedict (1887-1948) and Melville Herskovits (1895-1963). This 'modern' theory differs from its predecessors in that it "is not just recognition of cultural differences in thought, value, and action. It is a theory about the way in which evaluations or judgements are made. The theory calls attention not only to behavioural differences but to the perceptions of cultural phenomena."[142] This version of "cultural relativism" proved to be a huge turning point on how we anthropologists should understand or interpret the culture of 'others'. The "historical particularist" approach, an anthropological approach sceptical of 'universals' and emphasising knowledge of the historical development of specific societies as a prerequisite to any cultural evolutionary generalisations, developed as a complement to this newly understood version of "cultural relativism".

"Cultural relativism" succeeded the theory of "cultural evolutionism"; the latter having been plagued by persistent Eurocentric notions of superiority. Racism was indeed a primary reason "cultural evolutionism" lost out in favour of "cultural relativism". Anthropologists were no longer meant to distinguish the 'primitive' or 'savage' from the 'modern' or 'civilised', but to attempt an understanding of a particular culture by studying its

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[141] Ibid. p.21-22.

[142] Alison Dundes Renteln, "Relativism and the Search for Human Rights", *American Anthropologist*, Volume 90, Number 1, 1988. p.57.

particular and unique history. In the words of Melville Herskovits, perhaps the strongest figure involved in the promotion of this new "cultural relativism": "Evaluations are relative to the cultural background out of which they arise."[143] In other words, the only way to understand others is by "judging and interpreting the behaviour and beliefs of others in terms of *their* traditions and experience."[144]

Boas, Herskovits, and Benedict, all as champions of "cultural relativism", lead the charge to combat the use of Anthropology (and other 'sciences') for the promotion of bigotry. Just as in the international political arena -in the nineteenth century- "Human Rights" was first discussed with regards to abandoning slavery and the slave trade; in Anthropology, scholars such as Boas spoke about the dangers of using faulty psychological testing methods to wrongfully judge the mental characteristics of the different races in an attempt to justify slavery. Slavery was undoubtedly the main topic in the early years of the "Human Rights" crusade for all those concerned, anthropologists included. Boas, Benedict, and Herskovits were also especially active in condemning Nazi ideology.[145]

Anthropology and Human Rights: The Post War Period

As mentioned in the previous chapter, in response to the atrocities committed during the Second World War, the United

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[143] Ibid. The quote is originally from Melville Herskovits', *Man and His Works*. see Melville Herskovits, *Man and His Works*, Alfred A. Knopf, New York, 1950. p.63.

[144] Michael C. Howard, 1993. p.5.

[145] see Ruth Benedict, *A Manifesto on Freedom in Science*, 1938. also see Ruth Benedict, *Race and Racism*, Routledge and Kegan Paul, New York, 1983.

Nations thought it necessary to create an internationally recognised document on "Human Rights". The United Nations' principle of 'universality', however, became the source of a rift which divided those who saw "Human Rights" as culture specific and those who did not. This not only separated many anthropologists from the policy makers, but also divided many anthropologists from other anthropologists. The doctrine of "cultural relativism" was at the heart of this dissension.

In 1947, as the United Nations was anxiously putting together what would eventually become the Universal Declaration of Human Rights, Anthropology (as a field) was growing increasingly culture specific and sensitive towards generalisations made about peoples, especially about stereotypes of 'non-Western peoples' by 'Westerners'. In other words, there was a clash of views between the people involved in international politics, especially those affiliated with the formation and early development of the United Nations, and many anthropologists, particularly those subscribing to the 'modern' doctrine of "cultural relativism". The former sought to prevent future atrocities, like that committed by the Nazi's, by creating a document of "Human Rights", based primarily on seventeenth and eighteenth century West European liberalism, for all humanity, forbidding "distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status".[146] The latter, on the other hand, while professing the same ideals, challenged this document (the future Universal Declaration of Human Rights) by pushing for a

[146] see Universal Declaration of Human Rights.

declaration stressing "the right of men to live in terms of their own traditions,"[147] and that only when this was achieved first, could we begin to define "the rights and duties of human groups as regards each other."[148]

Attention should be drawn to the Statement On Human Rights, the first major stance of a large group of anthropologists on the topic of "Human Rights".[149] (The Statement On Human Rights was Submitted to the Commission on Human Rights of the United Nations by the Executive Board of the American Anthropological Association in 1947.) This statement was put together by anthropologists (primarily Melville Herskovits) subscribing to the 'modern' doctrine of "cultural relativism". The Statement specifies the need to respect not only individual differences, but cultural differences. It argues that since standards and values are relative to a particular culture, it is wrong to believe that any ['universal'] declaration, based on a single cultural background- in this case West European, should in any way apply to any culture not derived from seventeenth and eighteenth West European liberal philosophy.[150] Strong opposition to a 'universal' doctrine of "Human Rights" is implied in

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147 American Anthropoligical Association, "Statement On Human Rights", *American Anthropologist*, Vol. 49 No.4, October-December, 1947. p.543.

148 Ibid.

149 In 1949 the Society for Applied Anthropology came out with their own Statement on Human Rights; however, it was the Statement of 1947 which caused the greater row.

150 The three principles as written in the Statement On Human Rights are:

1) "The individual realizes his personality through his culture, hence respect for individual differences entails a respect for cultural differences."
2) "Respect for differences between cultures is validated by the scientific fact that no technique of qualitatively evaluating cultures has been discovered."
3) "Standards and values are relative to the culture from which they derive so that any attempt to formulate postulates that grow out of the beliefs or moral codes of one culture must to that extent detract from the applicability of any Declaration of Human Rights to mankind as a whole."

the Statement, but this Statement is not representative of all cultural relativists, nor all members of the American Anthropological Association, then or now.[151] "Although most anthropologists at the time appeared to consent to this cultural relativism some rejected it."[152] Two comments written in opposition to the Statement On Human Rights are especially noteworthy. The first is by Julian H. Steward, a cultural ecologist whose views differed strongly from the cultural relativists in that rather than seeing all occurrences as equal, he felt that certain occurrences influence and cause others. On the Statement, he argued: "...the Statement is a value judgement any way it is taken. If it does not advocate tolerance for *all* cultural values, no matter how repugnant some of them may be to us as individuals, then it must imply disapproval of some cultural values, though it also says that we have no scientific basis for making any value judgements."[153] In the second highly critical comment, H.G. Barnett, remarks: "It is unfortunate...that the first major commitment of the Association should take the form that it has. The document submitted to the United Nations is likely to have an effect the opposite of that which was intended; and, in any event, it places the Association on record in a way that embarrasses its' position as a scientific organisation. It would be regrettable if it were to

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[151] see "Brief Communications", *American Anthropologist*, Vol. 50., 1948. p.351-355.

[152] Sandra D. Lane and Robert A. Rubinstein, "Female Circumcision: Universal Value and Cultural Relativism", Conference Paper. 1995. p.4. I have chosen to underline the word, "this", to emphasise that the "cultural relativism" preached by Herskovits in 1947 is not the only version or interpretation of the doctrine of "cultural relativism".

[153] Julian H. Steward, "Comments On The Statement On Human Rights", *American Anthropologist*, Vol. 50., 1948. p.351-352.

establish a precedent."[154] The truth is that it did establish a precedent. As a result of "...organised anthropology's refusal to participate in drafting the 1947 human-rights declaration... anthropologists have not had much of a role" in the drafting of later international "Human Rights" documents.[155]

The early post-World War II years witnessed the growing of internal squabbling among anthropologists, including cultural relativists, with regards to the issue of "Human Rights". For nearly four years, anthropologists commented, criticised and discussed the merits of the "Statement On Human Rights". In 1951 Herskovits publicly responded with his paper, "Tender -And Tough- Minded Anthropology And The Study Of Values In Culture".[156] Nothing, however, in these debates could resolve the question of the proper role for anthropologists with respect to "Human Rights", especially since "Human Rights" were now being largely recognised as a 'universal' phenomena.

Changing Times

By the mid-nineteen sixties, with much of the decolonisation of the 'third-world' complete, the Anthropologist was no longer the lone fighter struggling for the oppressed and subjugated colonised 'natives'. In addition, "anthropologists began to realise that their

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[154] H.G. Barnett, "On Science And Human Rights", *American Anthropologist*, Vol. 50., 1948. p.352.

[155] Carolyn Fluehr-Lobban, "Cultural Relativism and Universal Rights", *The Chronicle of Higher Education*, Opinion, June 9, 1995.
Of some relevance to the topic of "Human Rights" is the United Nations series on "Race". Claude Lévi-Strauss made a notable contribution to this series. see Claude Lévi-Strauss, *Race And History: The Race Question In Modern Science*, UNESCO, Paris, 1952.

[156] see Melville J. Herskovits (edited by Frances Herskovits), *Cultural Relativism: Perspectives in Cultural Pluralism*, Vintage Books, New York, 1973.

research could threaten the culture and very existence of groups they were describing".[157] In 1971, and partially in response to the use of anthropological research in furthering military objectives during the Vietnam War, the American Anthropological Association adopted a code of ethics, Principles Of Professional Responsibility.[158] It's first principle states:

"In research, an anthropologist's paramount responsibility is to those he studies. When there is a conflict of interest, these individuals must come first. The anthropologist must do everything within his power to protect their physical, social and psychological welfare and to honor their dignity and privacy."[159]

It was obvious that the tide was now turning towards a stronger focus on the ethical responsibility of anthropologists to

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[157] Jennifer Schirmer, Alison Dundes Renteln, and Lauri Weisberg of Human Rights Internet, "A Selected Bibliography", *Human Rights and Anthropology*, Theodore E. Downing and Gilbert Kushner (editors), Cultural Survival, Inc., Cambridge (MA), 1988. p.127.

[158] see Michael A. Rynkiewich and James P. Spradley, *Ethics And Anthropology: Dilemmas in Fieldwork*, John Wiley & Sons, Inc., New York, 1976. p.v-vi and p.183-186.
The Principles Of Professional Responsibility was adopted by the Council of the American Anthropological Association in May of 1971. In March of 1967, and somewhat of a precursor to the Principles Of Professional Responsibility, the Statement on Problems of Anthropological Research and Ethics was adopted "as a step toward providing guidelines for anthropologists doing research".

[159] Ibid.
The Epilogue of the Principles Of Professional Responsibility states: "In the final analysis, anthropological research is a human undertaking, dependent upon choices for which the individual bears ethical responsibility. That responsibility is a human, not superhuman responsibility. To err is human, to forgive humane. This statement of principles of professional responsibility is not designed to punish, but to provide guidelines which can minimize the occasions upon which there is a need to forgive. When an anthropologist, by his actions, jeopardizes peoples studied, professional colleagues, students or others, or if he otherwise betrays his professional commitments, his colleagues may legitimately inquire into the propriety of those actions, and take such measures as lie within the legitimate powers of their Association as the membership of the Association deems appropriate."

the people(s) they study. What though, does accepting this responsibility entail?

The Ongoing Relativism/Universalism Debate and The Message Of Today's Anthropologists

In the fall of 1994, in Atlanta, Georgia, the American Anthropological Association held its annual meeting. The theme for the conference centred on "Human Rights" and the role of anthropologists in the "Human Rights" debate. This is an obvious sign that the issue of "Human Rights" is currently gaining in importance in the field of Anthropology as a whole. Many of the papers presented at the conference expressed the idea that anthropologists have got to do more when it comes to speaking out on abuses of "Human Rights". Almost all contemporary anthropologists interested in "Human Rights", particularly those who attended the above mentioned conference, stress the same four points:

1) That the "cultural relativism"/"universalism" debate has played a large role in keeping anthropologists away from actively engaging in research concerning "Human Rights".

2) That in order for anthropologists to go forward and be in a position to constructively participate in issues concerning "Human Rights", they must achieve, through cross-cultural analyses, a healthy balance between "cultural relativism" and "universalism".

3) That anthropologists are well suited by the very nature of their discipline for an important role in "Human Rights" advocacy.

4) That there is no better time than the present for anthropologists to get involved in "Human Rights".

Carolyn Fluehr-Lobban, a specialist on Islamic Law and Sudan, makes the point that: "Historically, anthropology as a discipline declined to participate in the international dialogue that produced conventions regarding human rights, largely because of philosophical constraints stemming from cultural relativism."[160] Ronald Cohen, anthropologist, not only concurs with this viewpoint in his article, entitled "Human Rights and Cultural Relativism: The Need for a New Approach", but goes further in stating: "There is a pressing need to go beyond moralist polarities, simple-advocacy, distaste for our own society, or uniformed ethnocentric judgements -relativism versus universalism- to real world issues that must be faced courageously. There is work to do, and anthropologists have an important role to play -if we choose to do so."[161]

The root of anthropologists' lack of participation based on the doctrine of "cultural relativism", as mentioned before, goes back to the American Anthropological Association Statement of 1947. However, it could be argued that anthropologists' lack of enthusiasm for involvement in "Human Rights" issues goes back even earlier.

On the second point, one should ask, what effects has the ongoing "relativism"/"universalism" debate had on the scholarship of anthropologists? Why has the doctrine of "cultural relativism"

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160 Carolyn Fluehr-Lobban, Nov.15, 1995. p.2.

161 Ronald Cohen, "Human Rights and Cultural Relativism: The Need for a New Approach", *American Anthropologist*, Vol.91.No.4., Dec. 1989. p.1016.

pushed anthropologists away from getting involved in issues concerning "Human Rights"? The main reason is that "the concept of "cultural relativism" leaves the anthropologist without a theoretical basis for comparative generalisations regarding human societies and cultures."[162] Taken to its extreme, "cultural relativism" "asserts that there is no unique truth, no unique objective reality";[163] it implies "the impossibility of any form of moral judgement or ethical standpoint on behaviour, including the ethical standpoint of the anthropologist who analyses the situation..."[164]; and claims that a particular culture can solve all of its problems and hardships only within that particular culture.[165]

Anyone who employs a historical approach to Anthropology knows full well of cultural exchanges, and cultural adaptations based from these exchanges and other contacts. To imply that each culture advances completely separately from every other culture is nonsense, and totally contradicts historical facts. In talking about "Human Rights", the extreme cultural relativist takes the position that since "all moral systems differ, there can be no

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[162] Charlotte Seymour-Smith, *Macmillan Dictionary Of Anthropology*, Macmillan Ltd., London, 1986. p.63-64.

[163] Ernest Gellner, *Relativism and the Social Sciences*, Cambridge University Press, Cambridge, 1985. p.84. Gellner goes on to say that "....there is no room for the assertion of relativism itself in a world in which relativism is true." This statement is based on the belief that "relativism", with all of the assumptions that come with any social science theory, is itself objective and absolute. see also Martin Hollis and Steven Lukes (editors), *Rationality And Relativism*, Basil Blackwell Publisher Limited, Oxford, 1982.

[164] Charlotte Seymour-Smith, 1986. p.63-64.

[165] Peter Nyot Kok, "Lifting the veil of cultural relativism: An analytical survey of international responses to human rights violations in the Sudan", *ORIENT (Zeitschrift Des Deutshen Orient- Instituts)*, Vol. 34 No. 4, Deutsches Orient-Institut. 1993. p.614. Kok uses the term "cultural absolutism" to mean an extreme form of "cultural relativism".

convergence."[166] The extreme cultural relativist does not believe in the comparative analysis of societies, and it is precisely this comparative analysis (or cross-cultural study) which is needed to help define the "rights and duties of human groups as regards each other."[167] In reference to the "cultural relativism" preached in the American Anthropological Association Statement of 1947, Richard A. Shweber expounds: "If this type of relativism were valid then cultural anthropology would be impossible."[168]

"A cross-cultural approach provides the appropriate balance between relativism and universalism of human rights."[169] The need for a cross-cultural approach by anthropologists (and others concerned with "Human Rights") to the study of 'universals' and "Human Rights", as a means of bringing together "relativism" with "universalism",[170] has been echoed recently by countless anthropologists. Ronald Cohen claims that "...it is at best irrelevant, or worse even mischievous, to assert and defend simplistic

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[166] Alison Dundes Renteln, 1988. p.64.

[167] American Anthropological Association, "Statement On Human Rights", *American Anthropologist*, 1947. p.543.

[168] Richard A. Shweder, "Moral Universalism Without the Uniformity", Paper presented at the American Anthropological Association Meetings, Washington, DC., Nov.15, 1995. p.5.

[169] Abdullahi Ahmed An-Na`im, "Problems Of Universal Cultural Legitimacy for Human Rights", *Human Rights In Africa: Cross-Cultural Perspectives*, An-Na`im and Francis M. Deng (editors), The Brookings Institution, Washington, DC., 1990. p.361.

[170] Francis M. Deng and Abdullahi Ahmed An-Na`im sum up the "relativist"/"universalist" debate by stating succinctly: "While recognising the genuine tension between the relativist and universalist perspectives on human rights,...it is desirable and possible to achieve universal validity for human rights through an appropriate degree of interplay between the two." see Abdullahi Ahmed An-Na`im and Francis M. Deng, "Editors Preface", *Human Rights In Africa: Cross-Cultural Perspectives*, Abdullahi Ahmed An-Na`im and Francis M. Deng (editors), The Brookings Institution, Washington, DC., 1990. p.xiv.

polarities of relativism versus universal moral imperatives."[171] He believes that what is needed is a search for some middle ground between the two; and that in this search the role of the anthropologist is crucial. Francis M. Deng (Former Ambassador and Anthropology lecturer, and current UN Special Representative and Senior Fellow at the Brookings Institution) argues that "the principle of universality is not to deny the significance of the cultural context for the definition, the scope, and the degree of protection of human rights."[172] He goes further in stating: "In a world that is paradoxically shrinking and proliferating at the same time, it is by seeing human rights concretely manifested in a particular context that we can fully appreciate their form and content in a comparative framework. To understand the diversity of the cultural contexts and their relevance to the conceptualisation and protection of human rights is to enhance prospects for cross-cultural enrichment in defending and promoting human rights."[173]

Anthropologists are stressing more than ever before the need for cross-cultural research as an effective means of improving the legitimacy of a 'universal' doctrine of "Human Rights". Alison Dundes Renteln concludes her article, entitled "Relativism and the Search for Human Rights", by noting that because of cultural conditioning, people might prefer their own standards. However, these preferences do "not mean there will always be irreconcilable

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171 Ronald Cohen, Dec. 1989. p.1016.

172 Francis M. Deng, "A Cultural Approach to Human Rights among the Dinka", *Human Rights In Africa: Cross-Cultural Perspectives*, Abdullahi Ahmed An-Na`im and Francis M. Deng (editors), The Brookings Institution, Washington, DC., 1990. p.261.

173 Ibid.

differences. Relativism is compatible with the existence of cross-cultural universals."[174] In other words, "cultural relativism" is compatible with the idea of a 'universal' doctrine of "Human Rights".

To participate in issues concerning "Human Rights", in particular "Human Rights" of a 'universal' nature, anthropologists must in some way come to terms with the "relativism"/ "universalism" debate. They must learn to see both as complements, not adversaries. Coming to terms with the "relativism"/ "universalism" dichotomy has taken the form of an "opening up" or "coming out of the closet" process for some. Fluehr-Lobban explains how she first came to be a staunch and outspoken critic of the practice of 'female genital mutilation' (also known as 'female circumcision'):

"For a long time I felt trapped between, on one side, my anthropologist's understanding of the custom and of the sensitivities about it among the people with whom I was working (Sudanese), and, on the other, the largely feminist campaign in the West to eradicate what the critics see as a "barbaric" custom. To ally myself with Western feminists and condemn female circumcision seemed to me a betrayal of the value system and culture of the Sudan, which I had come to understand. But as I was asked over the years to comment on female circumcision because of my expertise in the Sudan, I came to realise how deeply I felt that the practice was harmful and wrong."[175]

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[174] Alison Dundes Renteln, 1990. p.86-87.
[175] Carolyn Fluehr-Lobban, June 9, 1995.

The issue of 'female genital mutilation' (FGM) is one which has been at the forefront of the "relativism"/"universalism" reconciliation process.[176] It is an issue where misunderstandings abound and it is one which is getting increasing attention from concerned anthropologists.[177] These misunderstandings are very related to the particular use of language involved. A case in point is the frequent use in the 'West' of the word "eradication". Because "eradication" is frequently used to refer to unwanted infectious diseases and insects, when it is used to refer to a traditional custom such as 'female circumcision', it is viewed by many, in particular those from cultures and societies where the tradition continues to be practised, as offensive, demeaning, and a form of imperialism. These misunderstandings have contributed to the conflicting opinions, for example between 'Western' feminists and African feminists, on how best to go about combating the continuing practice of FGM.

In presenting their case that 'female circumcision' should be abolished and that "cultural relativism" does not prevent

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176 I realise that by using the term FGM (Female Genital Mutilation) I am using a word -"mutilation"- many perceive to have a very negative connotation. However, I do not interpret "mutilation" to necessarily have negative overtones. For me personally, pierced ears and breast enlargements are body "mutilations". I am using "mutilation" to mean operations, especially those which have no medical necessity, on the human body done with the intent of physically, and in many cases permanently, changing a person's bodily appearance. I believe the term "female circumcision" is seriously misleading since the first part of the word -"circum" (the Latin root)- means to go around, or as in the case of "male circumcision", to cut off the foreskin around the tip of the penis. No version, with the exception of only cutting off the prepuce (or hood of the clitoris), of "female circumcision" cuts around anything.

177 Regarding the interests of academics, particularly anthropologists, and policy makers, anthropologist Melissa Parker exclaims: "It is striking...that much more concern has been expressed about female circumcision than other operations or infections which adversely affect the reproductive health of women." see Melissa Parker, "Rethinking Female Circumcision", *Africa* (Journal of the International African Institute), Volume 65, Number 4, 1995. p.506.

anthropologists from getting involved in [moral] issues concerning "Human Rights", Sandra D. Lane and Robert A. Rubenstein declare: "On a world-wide basis, moreover, at least one universal value has already been accepted; the abolition of slavery."[178] They contend in their paper, "Female Circumcision: Universal Value and Cultural Relativism", that the abolition of FGM is also an accepted 'universal' value. Fluehr-Lobban warns that as anthropologists, "we need to be sensitive to cultural differences but not allow them to override widely recognised human rights" -such as slavery and FGM.[179]

In reference to anthropologists' lack of interest in confronting FGM, Harriet Lyons wrote in 1981 that "relativism which was introduced in anthropology as a moral posture, is now being decried for its lack of moral initiative".[180] Many governments of countries where FGM is practised have responded to outside criticism by hiding under the 'veil' of "cultural relativism". This particular use (or misuse) -the use of "cultural relativism" as a means of deflecting outside criticism of a government's record on "Human Rights"- of "cultural relativism" has encouraged anthropologists recently to confront FGM (a.k.a. 'female circumcision'). It is not "cultural relativism" which anthropologists are now challenging, but the misuse of a concept which is so central to the way anthropologists study different cultures and societies. By taking an active stance against the continuing practice of FGM anthropologists have the chance "to retain or recapture the moral purpose which

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178 Sandra D. Lane and Robert A. Rubinstein, 1995. p.1.

179 Carolyn Fluehr-Lobban, June 9, 1995.

180 Harriet Lyons, "Anthropologists, moralities, and relativities: the problem of genital mutilations", *Canadian Review of Sociology and Anthropology*, Volume 18, Number 4, 1981. p.514.

should underlie the task of understanding a culture in its own terms".[181] In other words, the doctrine of "cultural relativism" is wholly compatible with anthropologists actively engaging in 'universal' "Human Rights" issues such as the abolition of FGM. Lane and Rubenstein conclude in their above mentioned paper: "The search for a way to successfully confront female circumcision and to move beyond the impasse of the confrontation of universal value and cultural relativism depends upon finding a language and constructing an approach respectful of diverse cultural concerns".[182] This means that if anthropologists are to successfully engage themselves in "Human Rights" issues, in finding a way of reconciling the doctrine of "cultural relativism" with the notion of "universals", they must exhibit acute sensitivity to the practices, traditions, and ways of life and thinking of the people they are concerned with.[183] In other words, because anthropologists may involve themselves in 'universal' "Human Rights" issues does not mean they must put aside the widely accepted Anthropological doctrine of "cultural sensitivity".

While the current trend indicates that anthropologists are increasingly "coming out of the closet", it appears many remain hesitant -to varying degrees- in actively (and directly) speaking out on highly politicised matters -especially those linked to "Human Rights". On her reaction after witnessing several 'female circumcision' ceremonies in the mid-1980's, Melissa Parker

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[181] Ibid.

[182] Sandra D. Lane and Robert A. Rubinstein, 1995. p.24.

[183] Lane and Rubinstein put the matter bluntly in exclaiming: "...if we care about the genitals of the women in those cultures, we need also to care about their feelings." see Sandra D. Lane and Robert A. Rubinstein, 1995. p.23.

explained: "I felt so disturbed by the events I witnessed that I rarely took the opportunity to explore the issue in greater depth. In this sense relativism which imbued the way in which I carried out some of my work also became a means by which to avoid addressing a difficult and conflict ridden area."[184] Specifically on the issues of FGM and harmonisation of the "relativism"/"universalism" dichotomy, few anthropologists are as categorical as Stephen James when he exclaims: "One can reconcile universal human rights standards with the preservation of cultural diversity by searching empirically-based, cross-cultural universals, and by being open to intercultural learning. I conclude that on the basis of internal cultural critique, international human rights norms, and indigenous values and practices, non-consenting female circumcision is a human rights violation."[185] In the end, I believe the remaining hesitancy amongst anthropologists to involve themselves in "Human Rights" issues will subside somewhat as "Human Rights", itself, continues to grow as an ever increasingly popularised and politicised,[186] yet highly scrutinised, ethical and moral topic.

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184 Parker, 1995. p.512.

185 Stephen A. James, "Reconciling International Human Rights And Cultural Relativism: The Case Of Female Circumcision", *Bioethics*, Volume 8, Number 1, January 1994. p.26. The underlining of the last phrase is my addition.

186 The practice of FGM was not officially singled out by the United Nations as a violation against the "Human Rights" of women until the end of 1993 with the adoption of the Declaration on the Elimination of Violence against Women (A/RES/104, 20 December 1993). Article 2 of the above mentioned Declaration states:

"Violence against women shall be understood to encompass, but not be limited to, the following:

a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;". see United Nations, "Document 107: General Assembly resolution adopting the Declaration on the Elimination of Violence against Women", *The United Nations and The Advancement of*

This leads to the third point regarding the particular suitability of anthropologists participating in activities concerned with "Human Rights". I discussed earlier in this chapter about the important contributions anthropologists could make based on the way they conduct their research. I also believe that anthropologists have arguably been more sensitive to cultural differences than scholars from any other discipline. Whether one traces this tradition of sensitivity back to Herodotus or Franz Boas or Melville Herskovits is irrelevant. The fact remains that "cultural sensitivity" has developed into an anthropological tradition.[187] It is in anthropological literature, Jennifer Schirmer, Alison Dundes Renteln, and Lauri Weisberg, explain that one can read about the "juxtaposition of relativistic and universalistic concepts because it is the only field that has systematically gathered important data for cross-cultural purposes. It is also the only discipline that, by the nature of its research, specifically raises the question: is cultural universalism possible?".[188]

I am very much in favour of an interdisciplinary approach to the study of "Human Rights" and I am a supporter of what I earlier

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Women: 1945-1996, The United Nations Blue Books Series, Volume VI, Revised Edition, Department of Public Information, New York, 1996. p.474-476.

187 "...Anthropology has played, in our day, a vanguard role. We have been the first to insist on a number of things: that the world does not divide into pious and the superstitious; that there are sculptures in jungles and paintings in deserts; that political order is possible without centralised power and principled justice without codified rules; that the norms of reason were not fixed in Greece, the evolution of morality not consummated in England. Most important, we were the first to insist that we see the lives of others through lenses of our own grinding and that they look back on ours through ones of their own." see Clifford Geertz, "Distinguished Lecture: Anti Anti-Relativism", *American Anthropologist*, Volume 86, Number 2, June 1984, Washington, DC. p.275.

188 Jennifer Schirmer, Alison Dundes Renteln, and Lauri Weisberg of Human Rights Internet, 1988. p.127-8.

referred to as Anthropology's "wide angle lens" or global outlook. Schirmer, Renteln, Weisberg all contend: "If human rights is necessarily an interdisciplinary endeavour, and anthropology entails a holistic vision of peoples and cultures, then anthropologists should contribute to human rights standards and standard-setting processes by ensuring that they are both more reflective of, and sensitive to, cultural specifics. Only then will standards become more universal."[189]

The fourth and final point includes the excessively used phrase, "no time like the present". I believe Fluehr-Lobban sums up the views of those anthropologists concerned with "Human Rights" best in her paper, entitled "Negotiating The Terrain Between Cultural Relativism and Universal Human Rights", by asserting that "the contemporary global dialogue regarding human rights has once again highlighted the tension between universals and cultural relativism. This time anthropologists should not stand on the sidelines and let others, perhaps less experienced in practical terms with human difference and commonalties, set the terms and the course of the dialogue,"[190] for "...the time has now come for anthropologists in the mainstream to become more actively engaged with the international discourse about human rights."[191]

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189 Ibid. p.128
190 Carolyn Fluehr-Lobban, Nov.15, 1995. p.2.
191 Ibid.

Conclusion

To sum up my feelings about the increasing interest of anthropologists in issues concerning "Human Rights": I am optimistic. I am optimistic in that anthropologists are now realising that they have a responsibility to the peoples they study. This responsibility revolves around the use of the data they have collected. I do not hold the position that anthropologists must -in a pre-determined manner- absorb themselves in promoting the 'rights' of 'their' people -as spokespersons. I do believe, however, that the information anthropologists gather in their research, in part due to the intimate knowledge they have of the peoples they study, can be a very valuable contribution to the never-ending discussions, debates, and discourses surrounding the topic of "Human Rights".

My main interest in writing this thesis is not necessarily to encourage or perpetuate further discussion on the topic of "Human Rights" and the "Relativism"/"Universalism" dichotomy as much as it is to look at how the notion of "Human Rights" is used in political discourse. This entails, among others things, presenting examples of the "Human Rights" concept (and term) being employed by displaced Sudanese as a politically oriented discursive 'device'. While any anthropological study concerned with "Human Rights" has the potential of being rigorously scrutinised and subsequently viewed by anthropologists from a "Relativism" versus "Universalism" perspective, this debate does not have a significant place in this dissertation. I do not intend to spell out what "Human Rights" means for the displaced Sudanese, but rather to show some of the several

ways the notion of "Human Rights" is utilised and manipulated by them as a discursive 'tool' for acheiving political ends in light of the various circumstances surrounding their situation as exiles outside Sudan.

III

An Introduction To The Geography And Society Of Sudan

This chapter aims to provide a brief sketch of the people and landscape of Sudan. The purpose is simply to present a general idea of Sudan's physical and social environment.

Geography

With a total area of nine hundred and sixty six thousand and seven hundred and fifty seven square miles (about two and a half million square kilometres),[192] roughly one-third the size of the continental United States, Sudan is the largest nation in Africa and tenth largest in the world.[193] Sudan shares borders with nine African nations and sits just opposite Saudi Arabia along the Red Sea.[194] Similar to other countries in the Sahel, a region stretching across Africa from Mauritania and Senegal in the west through Eritrea and Somalia in the east,[195] Sudan contains a mix of

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[192] Robert Famighetti (editor), *The World Almanac And Book Of Facts: 1996*, Funk and Wagnalls Corporation, Mahwah (NJ), 1995. p.820.

[193] Only Russia, Canada, China, the United States, Brazil, Australia, India, Argentina, and Kazakhstan are larger than Sudan.

[194] Starting from the east and heading clockwise, Sudan borders Eritrea, Ethiopia, Kenya, Uganda, Zaire, Central African Republic, Chad, Libya, and Egypt.

[195] There seem to be many variants to the definition of the "Sahel" in regards to what countries it contains, in whole or part. The definition I am using is probably one of the broadest, since many, including *The Oxford English Dictionary*, refer to the "Sahel" only as a section of west Africa. The definition of the "Sahel" in the way it is used in the text is stated as, "The Sahelian zone extends between the Sahara, in the north, and the Sudanic zone in the south. As a fringe, it spreads along the desert from the Atlantic Ocean to Ethiopia, Somalia, and Kenya. The Sahelian zone passes progressively to the desert, in the north, as rainfall decreases and, in the south, it is replaced gradually by the

topographic and climatic regions. The ever expanding Sahara Desert in the North, the Red Sea to the East, rain forests in the South, and everything but snow and ice in between make Sudan not only the most geographically diverse nation of the Sahelien states, but arguably the most diverse on the entire African continent.

Generally speaking (and I mean very generally), Sudan can be divided into six geographical regions. According to the administrative districts they contain in whole or part,[196] the regions are:

1) Northern Sudan- Nile, Northern, and part of Northern Darfur.

2) Western Sudan- White Nile, Northern Kordofan, Southern Kordofan, Western Kordofan, Southern Darfur, Western Darfur, and part of Northern Darfur.

3) Central Clay Plains- half of El Gezira, Sennar, Blue Nile, a fragment of Khartoum (including the cities of Khartoum and Khartoum North), part of Gedaref, and the northern section of Upper Nile.

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savanna." In Arabic, "Sahel" means "seashore" or "edge". see MAB (Programme on Man and the Biosphere) Technical Notes, L. Berry, "The Sahel: Climate and Soils", *The Sahel: ecological approaches to land use*, The UNESCO Press, Paris, 1975. p.9.
The Sahel roughly corresponds to "Bilad As-Sudan", Arabic for "the land of the blacks". As stated in the *Historical Dictionary of The Sudan*, "The term, "The Sudan" (or in some cases "Sudan"),... [is] referring to the broad belt of plains and savanna land stretching from the Atlantic to the Red Sea and lying between the Sahara and the forest areas. In English and Arabic the term is also used specifically to refer to the territory south of Egypt which formed the Anglo-Egyptian Sudan (1899-1955), and the contemporary independent Republic of Sudan. It was first used in this sense during the 19th Century and applied to the African territories ruled by Muhammad Ali, the Ottoman governor of Egypt, and his successors." see Carolyn Fluehr-Lobban, Richard A. Lobban Jr., John Obert Voll, *Historical Dictionary of The Sudan* (2nd edition), African Historical Dictionaries, No. 53, The Scarecrow Press, Inc., Metuchen (NJ) and London, 1992. p. lxxii.

[196] Sudan is currently divided -politically speaking- into twenty-six administrative districts. The present administrative divisions are dated from 1994. Previously, Sudan had been divided into only nine regions. see Map of Sudan at the beginning of the thesis.

4) Eastern Sudan- Red Sea, Kassala, half of El Gezira, and part of Khartoum.

5) Southern Clay Plains- most of Upper Nile, Wehida (Unity), Warap, Northern Bahr El-Ghazal, part of Buheyrat (Lakes), Jonglei, a small section of Bahr El-Jabal, and half of Eastern Equatoria.

6) Ironstone Plateau and Southern Hill Masses- Western Bahr El-Ghazal, Western Equatoria, most of Bahr El-Jabal, and the southern half of Eastern Equatoria.

Northern Sudan, itself, can be further divided into two sub-regions -enormous desert and the Nile valley. The Nile, the worlds longest river, historically has been the life-blood for much of the Northern Sudanese population, hence much of the population is concentrated along the river. It provides about a two kilometres wide strip of fertile land, whose productivity depends on the annual flood. To the east of the Nile lies the one-hundred thousand square mile Nubian Desert; a desert without a single oasis. To the west lies the Libyan Desert,[197] four and half times larger than the Nubian, in which water can only be gathered at the few scarce watering holes, such as Bir an Natrun and Bir Bidi.[198] The water supply in both deserts is insufficient to provide for a settled population. In Northern Sudan, if one were travelling directly west from the Nile, he/she would be outside the borders of Sudan before reaching any

[197] The Nubian Desert and Libyan Desert, though recognised as distinct deserts in their own right, are both wholly within the Sahara Desert. The Libyan Desert, not including the Sahara Desert, is the second largest desert in the world. Only the Gobi Desert, of Mongolia and China, is greater in size.

[198] The Bir an Natrun and Bir Bidi are both located in the district of Northern Darfur. Other wells (boreholes) in Northern Sudan include the Tundubai, Rahib, and Nukheila (Merga).

town of significant proportion; and if one chose to go in the opposite direction, he/she would not come across a sizeable settled population till close to the Red Sea or border with Eritrea. Huge portions of Northern Sudan remain virtually uninhabited. In fact, on many maps, the north-western corner of Sudan is designated as an uninhabited area.

The people of Western Sudan largely rely on sparsely distributed permanent wells for their water supply. The distribution of wells co-ordinates fairly accurately with the distribution of people. *Hafirs* (or artificially excavated reservoirs) and dams are used in areas where the land is not suitable for deep bore wells. Most of Northern Darfur is desert and semidesert, with the exception of the *jizzu*, which extends into Chad. The *jizzu* is an area lying beyond the semidesert where rains help produce just enough grass and plants in the winter to allow for camels and sheep to graze. The far western section of Darfur is comprised of mostly plains that are fed water from the drainage of the *Jabal Marrah*, a nine-hundred meter high volcanic massif. The majority of the southern section of Western Sudan forms the territory known as the *Qoz*. This territory is characterised by its sand dunes throughout most of the year. It is during the rainy season when the sand dunes are transformed into grassy knolls. The last section of Western Sudan belongs to the Nuba Mountains. The Nuba Mountains consist of several large hill-masses, with most barely extending a few square miles. They are hardly mountains when compared to the height of the Rockies or Himalayas, but their dome shape and steepness make them a very distinctive geological feature of Western Sudan.

Sudan's Central Clay Plains contain the nation's most agriculturally productive soil. The rich soil provides the land with enough water to sustain farming settlements and attract nomads from other regions. Plus, there is the *jazirah* (literally meaning "peninsula" in Arabic), lying between the White Nile and Blue Nile just south of the capital, which contains the Gezira Scheme. At roughly 790 hectares, the Scheme is "considered the world's largest single-management farming enterprise."[199] Cotton produced on the Gezira Scheme amounts to approximately half of Sudan's revenue and export earnings. The flatness of the Central Clay Plains is broken only by the Ingessana Hills near the Ethiopian border.

Eastern Sudan is located just north-east of the Central Clay Plains, and directly east of Northern Sudan. East of the Nile, beyond the Nubian Desert, lie the Red Sea Hills -a mass of hills stretching into the south-eastern corner of Egypt, with a particularly dry climate that provides cooler temperatures than its surroundings. Continuing east one eventually reaches the Red Sea coastal plain, a barren rocky terrain full of corral reefs. Just south of the Red Sea Hills lie two more geographical sections of note. First, the Qash Delta, which is a mix of trees, bushes, and rich soil, making the land suitable for both farming and camel grazing; and a bit further south and west lies the sandy *Al Butanah*, a grazing area primarily consisting of scrub and grassy savannah. The latter is situated generally between Khartoum and Kassala.

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[199] Robert O. Collins, "The Society and its Environment", *Sudan: a country study*, Helen Chapin Metz (editor), Federal Research Division, Library of Congress, Washington DC., 1992. p.89.

The Southern Clay Plains contain the *Sudd*, the *toic*, Boma Plateau, and various lakes created by the White Nile.[200] The *Sudd*, the worlds largest swamp, expands during flood season to approximately thirty thousand square kilometres. This is roughly the size of Belgium.[201] Historically, the *Sudd* has been a formidable barrier. As Robert O. Collins mentions, "so intractable was this *Sudd* as an obstacle to navigation that a passage was not discovered until the mid-nineteenth century."[202] The *toic* is a flood plain created when the waters of the *Bahr al Jabal* (the name of the White Nile in this area) and the *Sudd* recede. Although not actually part of the clay plains, the Boma Plateau sits in the south-eastern corner of this region entirely surrounded by the clays. While it rises to a height of only a thousand metres, it is rather inaccessible most of the year; for the land around it is water-logged in the summer and bone dry throughout the winter.

The Ironstone Plateau (*Jabal Hadid*) and Southern Hill Masses enjoy the longest rainy season of any region throughout Sudan, thus giving it a comparatively wet climate.[203] The Ironstone Plateau can

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[200] Lakes fed by the White Nile include Fajarial, No, Nuong, and Shambe.

[201] Historian Robert O. Collins is one who puts the *Sudd* at about the size of Belgium; while anthropologist Ellen Ismail goes for the larger size of Switzerland. Whomever is correct is not as important as just realising the huge proportions one must talk about when discussing topographical regions in Sudan. see Ellen Ismail, *Bukra, Insha'Allah: A Look Into Sudanese Culture*, Khartoum, 1985. p.6.

[202] Robert O. Collins, "The Society and Its Environment", 1992. p.62.
Oxford defines the *Sudd* as "an impenetrable mass of floating vegetable matter which obstructs navigation on the White Nile." see J.A. Simpson and E.S.C. Weiner, *The Oxford English Dictionary* (second edition), "Volume XVII Su-Thrivingly", Clarendon Press, Oxford, 1989. p.115.

[203] The Ironstone Plateau, being the wettest region in Sudan, receives enough rainfall to support citrus fruits, but not enough for rubber trees and cocoa plants common to the Equatorial Rain Forest. see K.M., Barbour, *The Republic Of The Sudan: A Regional Geography*, University of London Press LTD, London, 1961. p.249.

further be divided into three sub-regions: the southern hills area, the Nile-Congo watershed and central plateau, and the north-west hill country. The north-west hill country is virtually uninhabited, and as K.M. Barbour puts it, "so far isolated from the rest of the country that little information is available about it."[204] The Nile-Congo watershed is characterised by its many streams which eventually flow into the *Sudd*. The watershed also marks the beginnings of the tropical rain forests of central Africa. The southern hills are simply small isolated hills, such as *Jabal Lado* near Juba. The Southern Hill Masses, on the other hand, rise to more than three thousand metres along the Sudan-Uganda border. Notable mountains, for these are real mountains, include the Imatong, Didinga, Dongotona, and Kinyeti.[205]

Before moving ahead, it is worth saying a few words on the Nile River. Practically the entire country is drained by this,[206] the worlds longest river.[207] Flowing roughly in a northerly direction, the Blue and White Niles come together at the Three Towns (Khartoum, Khartoum North, and Omdurman). The Blue Nile (*Al Bahr al Azraq*) and its tributaries, flowing out of the Ethiopian Highlands, account for approximately two-thirds of the Nile River water flow

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[204] K.M. Barbour,1961. p.250.

[205] The Kinyeti, at 10,456 feet, is the tallest mountain in Sudan; slightly more than half the height of Mt. Kilamanjaro (Tanzania) at 19,340 ft.

[206] "Except for a small area in northeastern Sudan where wadis discharge the sporadic runoff into the Red Sea or rivers from Ethiopia flow into shallow, evaporating ponds west of the Red Sea Hills, the entire country is drained by the Nile and its two main tributaries, the Blue Nile and the White Nile." see Robert O. Collins, "The Society and Its Environment", 1992. p.64,

[207] The Nile River (including the White Nile and its source) is 4,160 miles in length, stretching from central Africa to the Mediterranean Sea. see Robert Famighetti (editor), 1995. p.596.
Robert O. Collins puts the length of the Nile at 4,238 miles.

north of Khartoum.[208] The origin of the Blue Nile is the holy spring of Sakala, lying at the foot of the mountain of Gish.[209] The White Nile (*Al Bahr al Abyad*), originating deep in central Africa, starts from a spring above the Luvironzia River in Burundi.[210] From there, it passes through Lake Victoria and Lake Mobutu Sese Seko before entering Sudan at Nimule.[211]

Near Bor, the White Nile confronts the *Sudd*. "*Sudd* is derived from the Arabic word *sadd*, meaning barrier or obstacle."[212] Here, the water flow is reduced to various trickles which wallow through this massive marshland of reeds and papyrus. Due to evaporation, a substantial amount of water is lost. To divert the water flow away from the *Sudd*, Sudan employed the French enterprise Compagnie de Constructions Internationales to construct the Jonglei Canal in the mid-1970's. Construction of the Jonglei Canal, intended to start at Bor and end slightly upstream of Malakal, was halted in 1984 as a result of the insecurity caused by the civil war.

The main tributaries of the Blue Nile are the Dindar and the Rahad rivers, while those of the While Nile include *Bahr al Ghazal* and the Sobat River. Down river from Khartoum, the only tributary of the Nile is the Atbarah River, which has its origins in Ethiopia. The Atbarah River actually contributes thirteen percent to the Nile River's water flow, thus bringing Ethiopia's total contribution to the

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208 Richard P. Stevens, "The Society and Its Environment", *Ethiopia: a country study*, Harold D. Nelson and Irving Kaplan (editors), United States Government, Washington DC., 1981. p.65.

209 Robert O. Collins, *The Waters of the Nile: Hydropolitics and the Jonglei Canal, 1990-1988*, Oxford University, Oxford, 1990. p.19.

210 Robert O. Collins, 1990. p.5.

211 Lake Mobutu Sese Seko is also known as Lake Albert.

212 Robert O. Collins, 1990. p.66.

Nile River's water flow to eighty-six percent. Ethiopia's input to the Nile, while large, is seasonal. The fourteen percent contributed by the White Nile, however, is rather consistent year round. The *Jabal 'Auliya* Dam, south of Khartoum, stores water from the While Nile specifically for when the flow of the Blue Nile is reduced.

Society

More diverse than Sudan's geography is the population's ethnic and linguistic composition. There are an estimated six hundred ethnic groups speaking more than four hundred languages and dialects.[213] Sudan's population has tripled, to thirty million inhabitants,[214] since gaining independence on January 1, 1956.[215] This figure is expected to double by the year 2020. Sudan, like most African nations, will be tested as it struggles for increased and

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213 see Robert O. Collins, "The Society and Its Environment", 1992. p.69. Peter K. Bechtold's figure, as is Tore Nordenstam's, for the number of ethnic communities in Sudan is exactly 597. see Peter K. Bechtold, "More Turbulence in Sudan: A New Politics This Time?", *Sudan: State and Society in Crisis*, John Voll (ed.), Indiana University Press, Bloomington, 1991. also see Tore Nordenstam, *Sudanese Ethics*, The Scandinavian Institute of African Studies, Uppsala, 1968. p.67. The figure "597" can be assumed to have come from the official Sudan census in 1956. see Human Rights Watch/Africa, *Behind the Red Line: Political Repression in Sudan*, Human Rights Watch, New York, 1996. p.2.
Many times it is very difficult to distinguish between dialects and languages in Sudan, especially those spoken by only a small number of individuals. As well, distinctive 'tribal' divisions are sometimes difficult to grasp. Sometimes one never knows the difference between tribes, sub-tribes, and clans. All three tend to get mixed up. Within the Dinka, many will automatically characterise themselves as Dinka and something else; for example, Dinka Bor, Ngok Dinka, Dinka Bahr al-Ghazal, etc.... The same is true of the Nuer, Nuba, Baqqara, and many others. When it is too difficult to distinguish between 'tribes', 'sub-tribes', and 'clans', it is safer to use more generic words such as "groups" or "communities" or "peoples".

214 Robert Famighetti (editor), 1995. p.820. The exact figure given for the Sudanese population is 30,120,420.

215 G. Ayoub Balamoan, *Peoples And Economics In The Sudan: The First Part of a History of Human Tragedies on the Nile (1884 to 1984)*, Harvard University Center for Population Studies, Cambridge (MA), 1981. p.152. The exact figure given from the first Sudanese population census in 1956 was 10,056,019.

improved resources (agricultural, financial, health, etc...) to keep up with its growing population. With a current population density of only thirty people per square mile, Sudan is far from being overcrowded; especially with the high percentage of its people now living in and around the Three Towns (Khartoum, Khartoum North, and Omdurman).[216] A number of reasons exist for Sudan's recent urban population boom. Two of which are the civil war,[217] and opportunities in education and employment.[218] In fact, "the internally displaced and squatters comprise approximately 1,900,000, or 40 percent of the total population (roughly 4.75 million) of Greater Khartoum, according to 1995 estimates" by the Office of the United Nations Coordinator for Emergency and Relief Operations in the Sudan.[219]

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[216] I use the words "in and around the Three Towns" because in recent years, there has been a huge influx of Southerners (and Nuba) as a result of the civil war. Some of them stay in Khartoum, while many live in squatter camps on the outskirts of the city. The government has strongly pushed for the demolition of many squatter camps, and in turn forces its residents to move out to displacement camps, sometimes called "Peace Camps". The distance away from the capital of these camps is frequently many miles. The amount of people actually living in (and around) Khartoum is not accurately reflected in population statistics. Firstly, the displaced are usually not accounted for in a population census. Secondly, the latest census for the Three Towns was conducted in 1983. The then combined population of the Three Towns was only 1.5 million. This figure is too highly inaccurate for current usage. see *Africa: South of the Sahara 1995*, 24th edition, Europa Publications Limited, London, 1994. p.898.

[217] Southern Sudanese have fled to the Three Towns in droves to escape the violence and hardships -such as famine- resulting from the civil war.

[218] Rural Sudanese, from all regions, have increasingly migrated to the urban centres for economic and educational reasons.

[219] "Among the 1.9 million people, an estimated 800,000 were displaced as a direct result of the conflict in the south, and more than 350,000 were displaced from the west because of drought in the mid to late 1980's. The traditional economically-motivated squatters comprise the balance of 750,000 persons." This quote and the one in the text are taken from: Human Rights Watch/Africa, *Behind the Red Line: Political Repression in Sudan*, 1996. p.252-253. see United Nations, Office of the U.N. Coordinator for Emergency and Relief Operations in the Sudan, "Briefing Notes about the Khartoum Displaced Population", Khartoum, January 1995.

Three of Africa's four major language families are represented in Sudan.[220] Only the Khoisan family is without speakers in Sudan.[221] Arabic,[222] Hausa, and Bedawiya (Beja) are major languages in the Afro-Asiatic (or Hamito-Semitic) family. Zande and many languages of the Nuba fall into the Niger-Kordofanian (or Niger-Congo) family. Dinka, Fur, and Nile Nubian are all classified as Nilo-Saharan languages.

Language is an important aspect of the Sudanese identity. Arabic is the mother tongue for the majority of Northerners, whom for the most part, consider themselves Arab,[223] and are overwhelmingly Muslim. For non-Arab Northerners, retaining the mother tongue -literally your mother's or father's language- is a source of pride. While Arabic is the dominant language throughout Northern Sudan, many [Muslim] non-Arab Northerners spoke proudly of being able to speak their non-Arabic ethnic group or regional

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220 The four language families (or categories or superstocks) of Africa do not include languages derived from Europe (English, French, Afrikaans, etc...) or the sub-Indian Continent (Hindi, Urdu), of which there are a substantial amount of speakers.

221 The Khosian family, famous for its unique click consonants, is the smallest of Africa's four families. Its speakers are primarily concentrated in southern Africa, particularly around the area of the Kalahari Desert.

222 Arabic, the most widely spoken language in Sudan, is from the Semitic language sub-family. From its name, one can obviously tell the origins of the language are from Arabia; not Africa, nor Sudan. see David Crystal, *An Encyclopedic Dictionary of Language and Languages*, Penguin Books, London, 1994. p.25-26.

223 On the question of identity in Northern Sudan, Francis Deng states: "the northern Sudanese see themselves as Arabs and deny the strongly African element in their skin colour and physical features. They associate these features with the negroid race and see it as the mother race of slaves, inferior and demeaned." see Francis M. Deng, *War of Visions: Conflict of Identities in the Sudan*, The Brookings Institution, Washington DC., 1995. p.3.
One cannot take this statement literally, for there are large ethnic groups in Northern Sudan which are not Arab. The point which Deng makes is that the North/South dichotomy is perceived as Arab/African, not only by non-Sudanese, but by many Sudanese themselves.

tongue such as Nile Nubian, Daju, Fur, and Zaghawa, even though they continue to communicate regularly in Arabic.[224]

Arabic is not used to the same extent as a *lingua franca* in the South. A dialect of Arabic, called Juba (or pidgin) Arabic,[225] is used for some practical purposes (for example, at markets) between members of different tribes in the major Southern towns.[226] Juba Arabic is not understood by most Northern Sudanese, as its origins stem from Southern Sudan's contact with foreign and Northern Sudanese merchants in the mid-nineteenth century. It developed in Southern Sudan, and for all intents and purposes, it is a language contemporarily employed only by Southern Sudanese (and descendants thereof).

Generally, 'tribal' (local) languages are used more regularly in the South than up North.[227] The first couple years of primary school

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224 "Many non-Arab tribes in the North have adopted Islam, and some of them Arabic, but they have retained their ethnic and cultural identities with their own distinctive languages. Among these are the Nubians to the north, who, despite a long history of contact with Egypt and the outside world, have significantly resisted Arab assimilation; the Beja to the east, who have much in common with their kin across the Ethiopian border; the Nuba in Southern Kordofan, who may have had historical ties with the Nubians of the North but are otherwise distinct and conspicuously negroid; the Fur to the far west, who maintained a separate kingdom well into the second decade of British imperial intervention." see Francis M. Deng, 1995. p.401-402.

225 Juba Arabic is characterised as a pidgin-Arabic learned only informally in Southern Sudan. Mahmud describes that historically, "Several Arabic pidgin-creoles, rather than just one, emerged independently and simultaneously." see Ushari Ahmad Mahmud, *Arabic in the Southern Sudan: History and Spread of a Pidgin-Creole*, FAL Advertising and Printing Ltd., Khartoum, 1983.

226 Prior to independence, particularly in the mid-nineteenth century, there were many heterogeneous settlements in Southern Sudan. Europeans, Egyptians, Syrians, Tunisians, Greeks, and Nubians all conducted business in the South. They were in frequent contact with the locals, and each other. "They entered into respective positions in the work process and their mutual access to the accumulated surplus. It was within these relations prevalent at a specific historical period that a need to communicate became necessary for the reproduction of self and subsistence. Arabic pidgins and creoles were invented for this communicative need." see Ushari Ahmad Mahmud, 1983.

227 By "'tribal' language", I am referring to the languages of Sudan which are usually only known (or used as a first language) by the people for which the language is named,

are taught in local languages, after which English or Arabic is employed as the medium of instruction. If the particular school used English as the medium of instruction, then Arabic was taught as a subject, and vice versa. Because Arabic is associated with Islam and Arabism, and Southern Sudan is peopled mainly by non-Muslims, it has not penetrated the South to the extent of being a dominant language. The fear of the spread of Arabic is actually one of the many points of contention between the North and South.[228] The use of English in the South remains on a limited scale, mostly confined to those who have had extensive formal education -for example, at university. In truth, Southern Sudanese are generally better versed in Arabic than English.

Without a dominant language and all engrossing culture, group distinctions are much more rigid in the South;[229] thus the South contains many more group divisions. "While tribal identities are still pervasive throughout the Sudan, in the North they have been embraced by the umbrellas of Islam and in most areas the Arabic language and the related sense of Arab belonging, which borders on ethnicity and race."[230] Generally speaking, the Southern Sudanese are different, for only in the context of resisting Northern Sudanese

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or in certain instances, a language which unites relatively smaller peoples (in comparison with Dinka, Nuer, or Beja), for example Bari. Simply put, I do not refer in this instance to Arabic (including Juba Arabic), English, and Hausa as 'tribal' or local languages.

228 It is not the Arabic language itself which is the point of contention, but the perception by many Southerners that "Arabic", as a culture, has been (and continues to be) imposed on them by various Sudanese governments since independence. Although the English language is sometimes used as a tool of resistance against its Arabic counterpart, it is a fact that Arabic is the more widely used of the two amongst the Southern Sudanese. see Francis M. Deng, 1995. also see Ushari Ahmad Mahmud, 1983.

229 Though technically (and politically) part of Northern Sudan, I am including the Ingessana Hills as 'culturally' part of Southern Sudan.

230 Francis M. Deng, 1995. p.400.

domination do they unite; and even then, the extent of unity is a matter of serious and ongoing debate.

I have yet to hear of an equivalent all encompassing identity for non-Arab Southerners as that for Arab Northerners. There are countless historical reasons for this which I will not attempt to delve into other than point out that slavery and Islamic Arab culture in Sudan fostered a process of absorption, and thus enlargement. In other words, over the centuries, Sudanese who identify themselves as Arab mixed with the indigenous population, and in most cases, the offspring was considered Arab.[231] Islam is inherited from the father, and a Muslim woman is forbidden to marry a non-Muslim man. As Muslim men married non-Muslim indigenous women, their children inherited Islam. I cannot ignore the fact that Islam as a religion has penetrated groups who do not identify themselves as Arab; but in the case of Sudan, there is a strong correlation between being a Muslim and being an Arab.[232] "The traditional tribal sentiments in the North have been transcended by a sense of Arabness and Islam, which has united the northern community, despite the persistent diversity of tribes."[233] This is why in many cases, physical differences between Arab and non-Arab (African)

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[231] One of my interviewees, whose father was an Arab and Muslim, is an exception. She is Muslim, yet strongly tied to her Nuba heritage

[232] Like Sudan, Mauritania has an Arab/African identity dichotomy primarily based on linguistic and cultural affinities. Somewhat unlike Sudan, being a Muslim in Mauritania does not necessarily imply being an Arab or "Arabic" in culture. The point I want to make is that in both, Mauritania and Sudan, a large portion of the Muslim population neglects recognition of their non-Arab (African) heritage. see Human Rights Watch/Africa, *Mauritania's Campaign Of Terror: State-Sponsored Repression Of Black Africans*, Human Rights Watch, New York, 1994. see also I.M. Lewis, "Regional Review of the Distribution and Spread of Islam, The Eastern Sudan", *Islam in Tropical Africa*, I.M. Lewis (editor), Indiana University Press, Bloomington (Indiana), 1980.

[233] Francis M. Deng, 1995. p.440.

Sudanese, whether Muslim or non-Muslim, are indistinguishable. If the topic of Sudanese identity sounds confusing, it is; but it is also one of the most talked about topics relating to Sudanese culture and politics.

During fieldwork, I noticed in conversations concerning identity how the Dinka, Nuer, and Shilluk tended to emphasise the differences between each other, whereas Northerners from the various Arab groups tended to emphasise similarities or ties that bonded them as Sudanese Arabs.[234] The Arab ties were largely based on claims that genealogically link the majority of Northerners with Arab ancestry.[235] With both there are major exceptions, and this is something one must get accustomed to when studying Sudan.

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234 "...the Nuer have no patience, and the Shilluk have no sense of justice and freedom. The Shilluk spear each other in the night. Both do not confront, they backstab. They both cannot be leaders. The [civil] war could have been finished if the South was united." This statement was told to me in Cairo by a Dinka.
"Many black Africans in the North converted to Islam because, by becoming Muslim, they became freemen and respectable members of the community. For many, the motivation to do so was irresistible. To the new members of the Arab identity, the sense that they had been promoted into a superior class was more than religious or cultural; it was a gift of birth and descent, assumed or even fabricated, and ultimately a belonging to the Arab race." see Francis M. Deng, 1995. p.35
The Arabisation process of Northern Sudan has been in motion for a couple thousand years. Initially the Arabs looked to Sudan for slaves, gold, and ivory. With the rise of Islam, beginning in the seventh century, and the declining influence of Christianity, "in due course, Islamisation and Arabisation gained hold in the North and eventually overshadowed the pre-existing Sudanese and Christian elements." see Francis M. Deng, 1995. p.36.
The main objective of the last two paragraphs is to point out that, as a result of the historical Arabisation process, the Arab identity is not only for Sudanese Arabs (descendants of peoples from Arabia), but also for many Northern peoples who converted to Islam, speak Arabic, and for whatever other reasons now choose to be identified as Arabs.
235 A Gimr gentleman told me his ancestors came from Iraq. In all fairness, he did realise his appearance was hardly distinguishable from those of the many 'African' peoples in western Sudan. On the opposite end are the Rashaidah, a people who migrated to Sudan from Saudi Arabia last century. They strongly maintain a distinct identity, for they have mixed very little with other peoples. One reason is that they have not had much time to do so. Another is that they came from Saudi Arabia with women. The latter point was discussed between myself and a Rashaidah member in Cairo.

The country is simply too big and too diverse for rigid categories and categorisations. As Peter Verney, at Minority Rights Group, comments, "A variety of labels has been used by outsiders -sometimes by the protagonists themselves- to delineate and analyse ethnic groups in Sudan as elsewhere. It is vital to recognise the pitfalls in such labelling, and the ambiguities that exist in real life."[236]

In describing the ethnicity of the peoples of Sudan, dividing them into Northerners and Southerners, or Arabs and Africans is not very appropriate.[237] The North/South division was a colonial concept employed by the British as a means of strengthening their rule over an artificially divided Sudan in the early part of the twentieth century. They claimed the regions of Southern Sudan were too backward to develop along the same level as Northern Sudan. Economic growth suffered as a result of the South's isolation. Years of separate development has led to a degree of distrust between Northerners and Southerners; and it is this persistent distrust -to whatever degree- which has contributed significantly to the ongoing

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236 "For example, the Dinka, Nuer and Shilluk are often categorised on a regional basis as 'Nilotic' Sudanese, distinguishing them from 'Equatorians'. Yet in terms of linguistic affinity, the 'Equatorian' Acholi can be grouped with the Shilluk and Anuak as speakers of Lwo Languages, part of the Western Nilotic group."
"The rigid classification that was introduced during colonial administrations is an artificial construction. From the time of the Turco-Egyptian empire, and particularly the Anglo-Egyptian condominium with its policy of indirect rule through 'tribal' chiefs, it has served the purposes of outsiders. Although the nomenclature has come to shape the identity of the people concerned, it does not match the fluidity of the situation on the ground."
Both passages, plus the one in the text, were taken from Peter Verney, "Conclusion", *Sudan: Conflict and minorities*, Peter Verney (editor), Minority Rights Group, London, 1995. p.39-40.

237 During the 1920's, the British colonial administration barred Northern Sudanese from going to the South. Anything having to do with Islam and Arabs was discouraged by the British administration. The Southerners were considered a distinct people from the Northerners under a 1930 directive.

civil war. So, the North/South division is more aptly suited for a discussion on African (Sudanese) boundary politics. Other faults with these divisions are numerous. For example, the Nuba and Ngok Dinka reside in the North, but feel stronger attachments with their brethren in the South.[238] As well, an individual may claim to be an Arab, when he/she cannot at all be physically distinguished from one who claims to be African. I feel more comfortable with the Muslim and non-Muslim division used by Robert O. Collins in his chapter, "The Society and Its Environment", from *Sudan: a country study.* Historically, the Muslim/non-Muslim distinction has been the greatest division in Sudanese society. The Muslim/non-Muslim distinction is at the heart of the centuries old Islamisation, and in turn Arabisation, process in Sudan.[239]

Approximately seventy percent of Sudan's population is Muslim (all *Sunni* or orthodox).[240] Of the remaining thirty percent, twenty-five percent practice traditional indigenous beliefs and five percent are Christians.[241] The latter two figures may vary as Christianity is frequently intertwined with indigenous religious practices.

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238 Anthropologist and former Ambassador Francis M. Deng is a Ngok Dinka. He is a Christian, comes from the North (Western Kordofan), and considers himself African. This contradicts the perceived division in Sudan of an Arab/Muslim north and a non-Muslim/African south.

239 On the other side of the coin, there is also a continuing Christianisation process in Sudan. This goes on, however, almost exclusively in Southern Sudan.

240 Robert Famighetti (editor), 1995. p.820. My figure of seventy percent comes from *The World Almanac And Book Of Facts: 1996.* Other figures for the percentage of Muslims in Sudan range from "somewhat more than half" (see Robert O. Collins, 1992. p.100.) to "most of Sudan" -including a large portion of the South. The latter estimate was given to me by a few Northern Sudanese acquaintances in Cairo, as well as, by some Sudanese diplomatic personnel. see Human Rights Watch/Africa, 1996. p.193. Sudan's Constitutional Decree (1993) emphasises that "Islam is the guiding religion for the overwhelming majority of the Sudanese people".

241 Robert Famighetti (editor), 1995. p.820.

Christianity (excluding the Copts), is comparatively new, being introduced to Sudan by European missionaries in the nineteenth century.[242] As well, within Sudanese Islam, there are elements of non-Islamic traditions, such as beliefs in spirits of illness and ancestors. Sudanese Islam has been highly influenced by Sufism, which allowed for Islam to grow (and later flourish) in a way compatible with existing African beliefs.[243] Sufi orders (*turuq*) were first brought to Sudan by Muslim missionaries in the twelfth and thirteenth centuries from Egypt, Arabia and the Maghreb. "By the early 1800's these [orders] had become firmly established in the country, having the most profound and pervasive form of religious and political influence."[244] Sudan's indigenous religions are generally community or 'clan' specific in their rituals, but the idea of a supreme god (God) is acknowledged in most of Sudan's indigenous beliefs.[245] Ancestral spirits are also another common denominator. Because they believe in God (or gods), whether or not it is the same God of the Christians or Muslims, it is incorrect to

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242 Hassan Makki Mohamed Ahmed, *Sudan: The Christian Design, A Study of the Missionary Factor in Sudan's Cultural and Political Integration: 1843-1986*, The Islamic Foundation, Leicester, 1989.

243 Simply stated, a Sufi is an Islamic mystic. In Muslim Africa, through Sufism, Islam has been integrated with the local people and their pre-Islamic rituals.
"Sufism seeks for its adherents a close personal relationship with God through special spiritual disciplines." see Robert O. Collins, 1992. p.104.
"To the Sufi not only is there no god but Allah, but there is nothing but Allah and the mystic finds his true self by losing his individual consciousness in ecstatic self-abandonment in the divine Oneness." see J. Spencer Trimingham, *Islam In The Sudan*, Oxford University Press, London, 1949. p.189.

244 Francis M. Deng, 1995. p.40-41.

245 Robert O. Collins, 1992. p.107-110.

call all practitioners of Sudan's indigenous religions animists.[246] Animist is a very misleading term.

Muslim Peoples

Arabs, unified by language and religion, constitute roughly forty percent of the total population in Sudan and nearly fifty-five percent of the North.[247] They are divided into various groups, with each one said to have a common ancestor, and each cluster of groups (for example, Ja'ali (or Ja'alayin), Juhayna, and Kawahla) believed to have common ancestry.[248] As a people, however, Sudanese Arabs are neither unified in lifestyle nor livelihood, leading both, sedentary and nomadic lives.

Birth is usually regarded as the qualification for membership in any of the Arab groups, but other methods, such as behaviour can also influence perceived membership. For example, in western Sudan, some sedentary (non-Arab) Fur have chosen, for economic reasons, to establish themselves as cattle nomads. A process of perceived ethnic transformation occurs when the Fur attach themselves to camps of Arabic speaking nomads (Baqqara). Their children subsequently grow up learning Arabic, and the sons eventually marry women from the Baqqara communities. Their

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246 As Godfrey Leinhardt remarks, "...their (Dinka) *nhialic* is the same Divinity as that which different peoples know under different names, the Divinity the Nuer call *'kwoth'*, the Muslims 'Allah', the Christians 'God', and so on." see Godfrey Lienhardt, *Divinity and Experience: The Religion of the Dinka*, Clarendon Press, Oxford, 1961. p.56.

247 The Copts, a small urban minority, are an exception in that they are Arabic speakers, but not Muslim. see p.112-113.

248 Two interesting Sudanese Arab groups of note are the *ashraf* and Bani Omran. The former contends they are direct descendants of the Prophet Muhammad, while the latter claim to be descendants of Jesus Christ (*Isa*). It was revealed to me during an interview with a member of the Bani Omran that they consider themselves descendants of Jesus Christ.

descendants are accordingly recognised as Baqqara -Arab- by birth.[249]

The Nubians, whose traditional homeland extends from Aswan to Khartoum, can be considered the second largest Muslim people in Sudan.[250] The Nubians have retained a particularly strong attachment to the Nile River, for they have lived alongside its banks for thousands of years; but due to more recent economic pressures and the construction of the Aswan High Dam, many have been forced to move into the major towns such as Dongola, Atbara, and Khartoum. Apart from being Muslims and employing Arabic as a second (and increasingly first) language, they are conscious of maintaining their Nubian identity; but in highly varying degrees.[251] A Nubian interviewee remarked that when he swears, he does so to Mary, not God; and that as a baby, he was baptised. There seems to be an intertwining of past and present religious and cultural traditions which at times reflects a strong Nubian identity. However, in other circumstances, many are quick to claim Arab decent. As Sondra Hale mentions in her Ph.D. thesis, the Nubians have traditionally had prejudices towards the Arabs, but at the same time many proudly

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249 Gunnar Haaland, "Economic Determinants in Ethnic Processes", *Ethnic Groups and Boundaries: The Social Organisation of Culture Difference*, Fredrik Barth (editor), Little, Brown and Company, Boston, 1969. p.64-65.

250 To talk of the history of the Nubians is to talk of one of the worlds greatest civilisations. Greek scholar, Diodorus termed Nubia as the home of civilisation. see Carolyn Fluehr-Lobban, Richard A. Lobban Jr., John Obert Voll, 1992. p.xxx.

251 An interesting historical note is of the Nubian Meroitic script dating from at least the first century B.C. The Nubians had their own alphabet long before the Egyptians; but to this day, scholars have been unable to decipher it. From at least the eighth through the fourteenth centuries, the Nubians adopted a modified Coptic alphabet. Today, the only written language for the Nubians is Arabic, for the Nubian language is only used in verbal communication. see Boyce Rensberger, "The Grandeur That Was Nubia", *Washington Post*, May 10, 1995. p.H1, H4-5. also see David Crystal, 1994. p.273. also see William Y. Adams, 1977. p.48.

claim to have Arab blood in them as a way of claiming to be part of a "superior" race.[252]

The Beja, for roughly five thousand years, have lived continuously in their traditional territory of the Red Sea Hills, but can also be found in many other areas of Eastern Sudan as far south as the Atbarah River. They are normally divided into four groups: the Hadendowa, the Amar'ar,[253] the Bisharyyin, and the Beni Amer. The Beja are far more nomadic than either the Arabs or Nubians as a whole and have a reputation of being especially conservative and proud. This should not be interpreted with a negative connotation, for their reputation stems from a history of resisting foreign domination and influence.[254] In an example of the Bejas' resistance to accepting a foreign ideology,[255] William Y. Adams characterises the Beja as remaining "primitive and pagan until well into the Christian era".[256] In a discussion with a Beja law student (Al Azhar University) in Cairo on the topic of religion, he boasted to me that the Beja were very late converters to Islam (from Christianity),

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252 Sondra Hale, "The Changing Ethnic Identity of Nubians in an Urban Milieu, Khartoum, Sudan," Ph.D. thesis, UCLA, 1979. see Francis M. Deng, 1995. p.423-426.
A very interesting tradition that is currently kept by many Nubians is the engraving of a cross into the wall of a newly built home. This was a tradition revealed to me by a Nubian in Washington DC. Apparently, it is a tradition that goes way back to Christian times.

253 The Amar'ar have traditionally claimed descendancy from Kush, the son of Ham.

254 A. Paul states that, "throughout their long history, they have remained supreme individualists, unnameable to authority, living widely dispersed and solitary among their deserts and mountain glens, impervious to external contacts, preserving, as though by their very aloofness and lack of curiosity, their freedom, their virility and their individuality". see A. Paul, *A History of the Beja Tribes of the Sudan*, Cambridge University Press, London, 1954. p.2-3.

255 Like the Nubians, the Beja concluded a "*Baqt* " treaty with the Egyptians. They did so in 720 A.D., nearly seventy years after the Nubians. see I. Hrbek (editor), *General History of Africa III: Africa from the Seventh to the Eleventh Century* (Abridged Edition), James Currey Ltd., London, 1992. p.103.

256 William Y. Adams, 1977. p.58.

resisting it for hundreds of years. Ironically, he, personally, was not a believer in religious conversion at all (for any people, at any time).

In the far west, the dominant people are the non-Arabised Fur.[257] The Fur are a sedentary people living in the fertile *Jabal Marrah* Massif. This is one of the few areas in western Sudan with rich soil and a relatively steady supply of water. Because of these natural resources, Arab groups have contested with the Fur over use of land. The Fur have strong political and cultural relations with peoples in Chad.

North of the Fur live the Zaghawa, who call themselves Beri. They straddle along the Sudanese border with Chad, with large numbers of Zaghawa living on both sides. Despite conversion to Islam, the Zaghawa have retained many aspects of their pre-Islamic religious customs.[258] They live primarily as herders of goats, sheep, and camels; though some are active in agriculture. A similar case to that of the Baqqara/Fur, in regards to ethnic identity and perception as described earlier, occurs between the Fur and Zaghawa. It seems, though, in this instance it is a two way street, with Fur transforming into Zaghawa and vice versa.[259]

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257 The region of Darfur was ruled by Fur sultans for over three hundred years, starting with Sulayman Solong in 1596 and ending with Ali Dinar in 1916. Ali Dinar died while fighting the British, who annexed Darfur to Sudan. see Carolyn Fluehr-Lobban, Richard A. Lobban Jr., John Obert Voll,1992. p.xlii. also see Thomas Ofcansky, "Chapter 1. Historical Setting", *Sudan: a country study*, Helen Chapin Metz (editor), Federal Research Division, Library of Congress, Washington DC., 1992. p.13. also see Gunnar Haaland, 1969. p.58.

258 Robert O. Collins, 1992. p.75-76.

259 R.S. O'Fahey, *State and Society in DAR FUR*, C. Hurst and CO. Ltd., London, 1980. p.7-8.

Other Muslim peoples include the Masalit, Daju,[260] Berti, and Bornu. The last of which has not too distant roots in West Africa.[261] Sudan has historically been a stopover on the passage to Mecca for West Africans. Many Fellata -Sudanese name for West African immigrants- chose to make Sudan their home. Ladislav Holy, former Professor at the University of Saint Andrews, has made some significant contributions to Social Anthropology with his research on the Berti of Northern Darfur. In particular is his work, *Religion And Custom In A Muslim Society: The Berti of Sudan*, in which he demonstrates that traditional rituals, aside from purely Islamic ones, play a pivotal role in the Berti religious system.[262] The Daju are of particular historical significance to western Sudan. As Ladislav Holy mentions, according to the local traditions in Darfur, the Daju were the region's first rulers "whose state centred upon the area south and southeast of Jebel Marra".[263]

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[260] Some scholars speculate the Daju are an offshoot of the Fur. The term "Daju" has also been used as a linguistic designation for several groups (peoples) scattered from western Kordofan into eastern Chad.

[261] In fact, the Kingdom of Bornu -located in present day Nigeria, Niger, Cameroon, and Chad- did not break up until the turning of the twentieth century. see Colin McEvedy, *The Penguin Atlas of African History*, Penguin Books, New York, 1980.

[262] see Ladislav Holy, *Religion And Custom In A Muslim Society: The Berti of Sudan*, Cambridge University Press, Cambridge, 1991. see also Ladislav Holy, *Neighbours And Kinsmen: A Study of the Berti People of Darfur*, St. Martins Press, New York, 1974.

[263] Ladislav Holy, 1991. p.17.
O'Fahey calls the Daju Darfur's first "historical" rulers. see O'Fahey,1980. p.7.
The Daju rise to power in Darfur took place roughly at the beginning the thirteenth century. see Carolyn Fluehr-Lobban, Richard A. Lobban Jr., John Obert Voll, 1992. p.xxxvii.

[Predominantly] Non-Muslim Peoples

The largest single people in Sudan, and most significant of the Southern Sudanese peoples, is the Dinka.[264] The Dinka constitute more than ten percent of the entire Sudanese population. They are very widely distributed throughout the northern half of Southern Sudan. A small number of Dinka also live on the other side of the North/South divide in Western Kordofan and Southern Darfur.

The Nuer, roughly one-fourth to one-third the size of the Dinka, are as well dispersed throughout the Northern half of Southern Sudan. They have a reputation, among Southerners and Northerners alike, of being fierce and skilled fighters. A group of Nuer young men explained to me that a substantially lower number of Nuer could defeat a larger group of Dinka in a fight -for example, with spears. A valuable recent anthropological and historical contribution to the study of Southern Sudan and the Nuer is Douglas H. Johnson's *Nuer Prophets*. In *Nuer Prophets*, Johnson critically analyses, with the aid of "remembered prophetic songs", "oral historical testimony", and colonial records, the role of prophecy in the religious beliefs of the Nuer.[265]

The lives of both, the Dinka and Nuer, revolve around their cattle, for cattle has a prominent position in all aspects of life: economic, religious, aesthetic, etc... One Dinka woman told me that the role of cattle was even too big.[266]

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[264] Of all the Muslims I have met from Southern Sudan, the Dinka were the most numerous. The overwhelming number of Dinka, however, are non-Muslims.

[265] see Douglas H. Johnson, *Nuer Prophets: A History of Prophecy from the Upper Nile in the Nineteenth and Twentieth Centuries*, Clarendon Press, Oxford, 1994.
Nuer Prophets was awarded the 1994 Amaury Talbot prize for African Anthropology.

[266] The writings of Francis M. Deng and E.E. Evans-Pritchard provide a thorough understanding of the role of cattle in Nilotic culture.

The Shilluk are much more of a settled population than either the Dinka or Nuer. This is demonstrated by their greater reliance on cultivation and fishing, as opposed to living in cattle camps. The concentration of the Shilluk community in the district of Upper Nile undoubtedly reflects on the Shilluk maintenance of a traditional single politico-religious head or *Reth*. The *Reth*, seated in Fashoda (Upper Nile), is the Shilluk executive, legislative, judicial, and military authority.[267]

Further south, live the Bari speaking peoples (of which the Bari tribe is included), Mandari, Kuku, Latuka, and Taposa. Of these tribes, Bari is the largest. Most rely on a life of agriculture, particularly in the highlands bordering Uganda. Other notable non-Muslim peoples include the Azande,[268] Atuot,[269] Anuak, Didinga, Murle, Kuku, Kakwa, Lango, and Uduk.[270]

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267 The *Reth*, as king, is believed to be the representative, if not the reincarnation of *Nyiking*, the mythical founder of the Shilluk. see Charles Oyo Nyawelo, "Customary Law In The Sudan: The Shilluk Kingdom from a Legal Perspective," A paper read at the Cultural Seminar (Cultural Week) organised by Fashoda Cultural Association, Khartoum, Sudan, 25th to 31st July, 1992.

268 The Azande are the dominant people in the western part of Southern Sudan. Their roots, like the Bornu, are from west of Sudan. The Azande entered Sudan via Zaire in the sixteenth century. They have had their own system of kingship, but a centralised state was never encouraged. Through years of expansion, following military victories, they have mixed with (and/or absorbed) the peoples they conquered; as a result, the Azande are far from being homogeneous. An Azande is one who speaks the Zande language as their mother tongue. Language is what unifies the Azande, who "were able to conquer such vast territories and...weld their inhabitants into a single people". see E.E. Evans-Pritchard, *The Azande: History and Political Institutions*, Oxford University Press, London, 1971. p.22.

269 The Atuot, though surrounded on three sides by the Dinka, believe they share a common origin with the Nuer. Their language does indeed have much in common with that of the Nuer. see John W. Burton, *A Nilotic World: The Atuot-Speaking Peoples of the Southern Sudan*, Greenwood Press, Inc., New York, 1987. p.1-21.

270 see Wendy James, *'Kwanim Pa: The making of the Uduk people: an ethnographic study of survival in the Sudan-Ethiopian borderlands*, Clarendon Press, Oxford, 1979. see also Wendy James, *The listening ebony: moral knowledge, religion and power among the Uduk of the Sudan*, Clarendon Press, Oxford, 1988.

Other Peoples

The Nuba should neither be discussed as Muslim nor non-Muslim peoples since a significant proportion are Muslim,[271] although the majority are not. Lowland Nuba have been Islamicised for nearly a century, whereas the 'mountain' Nuba continue to cling stronger to their pre-Islamic traditions.[272] The Nuba are non-Arabised peoples, and I must stress peoples. Like the Baqqara, they are not a singular unit (or tribe). While living primarily as farmers, the Nuba speak a variety of languages and practice a wide array of traditional customs.[273] Because the Nuba technically (geographically) live in Northern Sudan, Arabic has developed into a *lingua franca* throughout the Nuba Mountains.

Another omission from the before mentioned brief descriptions was the Copts. Though small in number, they have been very influential in Sudanese society, especially the period from the Anglo-Egyptian Condominium to the enactment of the September Laws (Islamic Law) in 1983.[274] Traditionally artisans and

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271 Be sure not to confuse "Nuba" with "Nubia", or "the Nuba" -as peoples- and Nubians. The word "*Nubi* " in Arabic is used to refer to both "a Nuba" and "a Nubian", but there are great differences between the two. There has been speculation of an 'ancient' relationship between some of the Nuba peoples and Nile Nubians, based primarily on linguistic evidence.
The word "Nuba" was used in the past by Egyptians and many Northern Sudanese to refer to black people -non-Muslims and non-Arabs- considered enslavable. see Yoanes Ajawin and Alex de Waal, *Facing Genocide: The Nuba Of Sudan*, African Rights, London, 1995. p.11.

272 T. Abdou Maliqalim Simone, *In Whose Image?: Political Islam and Urban Practices in Sudan*, The University of Chicago Press, Chicago. 1994. p.194.

273 The Nuba Mountains, like the *Jabal Marrah* Massif, contain some fertile ground. They have contested land use mainly with the cattle herding Baqqara, who live in areas of close geographical proximity to the Nuba Mountains. The Nuba are also world renown for their body art, wrestling, and stick fighting.

274 Abdel Salaam Hassan, "The Copts", *Sudan: Conflict and minorities*, Peter Verney (ed.), Minority Rights Group, London, 1995.

merchants, the Copts have succeeded in business, medicine and the civil service. Under current policies of the government of Sudan, however, many Copts have fled the nation.

This is really just a handful of the many peoples inhabiting Sudan (and living in exile outside of Sudan). As well, this represents a good sampling of those who made up the bulk of my fieldwork interviewees. More important than the academic classifications of the Sudanese peoples, however, is how they choose to characterise themselves. For example, a man whom I interviewed, was said by an acquaintance, to be a Nubian. During the actual interview he simply described himself as Northern Sudanese, and nothing beyond that. Thus, as far as I am concerned, he is Northern Sudanese. 'Tribal' or 'clan' affiliation was not something that was important for him. He was, however, in the minority, for most interviewees (educated and non-educated) openly spoke about their home region and 'local' ethnic community at length. Another example is of a woman whose mother was Latuka and whose father was a Ja'ali. This woman considered herself Taposa. Her reasoning was that since she was raised in a Taposa area of Sudan she felt assimilated with the Taposa. It is not for me to say she is right or wrong. It is up to her to feel as she likes. These examples remind me of first coming to study in Europe and being asked about how I characterise myself and my ethnicity. I always answered, and still do, that I am American. Many people are

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The Copts of contemporary Sudan -descended from Egyptian Coptic migrations- should not be confused with the 'indigenous' Copts of Nubia in the Middle Ages. While Egyptian Copts first moved to Sudan in the sixth century to escape persecution from Egyptian Muslims, the height of Coptic emmigration from Egypt took place during the early nineteenth century.

surprised at so short an answer, and cannot understand why I do not say American and the known countries (or regions) of my ancestors. The reason is I do not feel European, Polish, Scottish, Irish, English or wherever else my ancestors may have come from. I cannot always change how others perceive and categorise me, but I am not going to let others' perceptions of me change how I feel about myself.[275] Based from my own experiences of cross-continental perceptions, my awareness and sensitivity has grown tremendously with respect to the way people perceive and characterise themselves. The way people characterise themselves may or may not fit the well established ethnic categories widely used today.[276] On the one hand, I do use some of these categories in my work; on the other hand, I must show consideration of how other people feel about (or describe) themselves. A healthy balance is required to be understood in the greater academic community, while at the same time, maintaining respect for the people(s) studied. Humans like to put labels on things, especially characteristics of people. It is the nature of all academic disciplines.[277] All I am suggesting is that in the case of Sudan, a strict categorisation of peoples is neither easy,

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[275] The displaced Sudanese interviewee's perceptions of me had a substantial impact on the way "Human Rights" was discussed. see Chapter 5.

[276] In the case of Sudan, particularly Southern Sudan, racial categories have been greatly influenced by the work of C. G. Seligman. see C.G. Seligman and Brenda Z. Seligman, *Pagan Tribes of the Nilotic Sudan*, George Routledge and Sons, Ltd., London, 1932. see also C.G. Seligman, *Races of Africa* (4th edition), Oxford University Press, London, 1966.

[277] "Though humanity's passion for classifying has led to many advances in civilisation, particularly in the fields of science and technology, it has also done irreparable damage in terms of human relations, permitting people to be grouped by race, color, and sex, and encouraging politically convenient generalisations that take no account of them as individuals who live and die, love and hate, dominate and submit, on an entirely personal level." see Reay Tannahill, *Sex In History*, Scarborough House/ Publishers, USA, 1992.

nor necessary. As I have just pointed out, a woman whose parents came from different peoples considers herself part of neither.

The intention of these brief descriptions was not a rigid categorisation of the Sudanese people; but to make the reader aware, and simply to stress the point, of Sudan's diversity in peoples -unparalleled in Africa.[278] The diversity in peoples goes hand in hand with diversities in climate and topography. Rainfall and the land's physical characteristics are major factors in determining the peoples' ways of life. Different peoples live in different landscapes, lead different lifestyles, and as I will later demonstrate, can form very different opinions when discussing "Human Rights".

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[278] Scholars frequently characterise Sudan as [almost] a microcosm of Africa.

IV

Fieldwork Locations
and
The Trials and Tribulations Accompanied
with Researching "Human Rights"
and Sudan

Anthropological fieldwork rarely seems to follow the intended game plan. There are plenty of snafus and booby-traps which seem to creep up ever so suddenly that force aspiring anthropologists to reassess their research design. In my case, and I assume with many others, exact fieldwork locations were chosen as a matter of trial and error. Before beginning the fieldwork my heart was set on travelling to several places in Sudan. For a variety of reasons I was not able to enter the country. I will first present the trial and error experience I endured in my attempts to enter Sudan before discussing the locations where my fieldwork, somewhat unexpectedly, actually took place.

Introduction

Given that the subject of my research is concerned with the culture and opinions of Sudanese people, and how they view or understand or interpret "Human Rights" -assuming the notion of "Human Rights" is something which interests them- as an international, 'Western', African, Arabic, Islamic, Christian, or 'local' conception, it is only natural that I should wish to conduct at

least a portion of my research in Sudan. To be amongst the people(s) one is studying is the intention of most anthropologists. This aspiration, however, just was not meant to be.

Although I know in my heart that I was purposefully denied access into Sudan by various parties, I will refrain using this section of the text as a diatribe; and instead simply write a detailed sketch of the process I took in attempting to do my fieldwork in Sudan. This process has spanned three continents and entailed much aggravation; but it had to be done, for my research -I initially believed- required me to understand aspects of Sudanese culture that are best studied in their traditional environment. That I was unable to enter Sudan, is directly related to some of the questions which this thesis is concerned -such as, "How Do The Sudanese People Themselves Perceive "Human Rights"?", and "To What Extent Is Their Perception Of "Human Rights" Similar Or Different From That Based On Traditional 'Western' Liberalism?".

While conducting research for the last few years (1991 and 1993-present), I have had nearly fifty meetings with Sudanese diplomatic personnel and representatives from various Sudanese rebel movements. The first took place in New York City as an undergraduate while putting together my fourth year thesis. Since then, as a post-graduate, meetings have been held in London, Geneva, Cairo, Nairobi, Washington DC, and again in New York City. The government of Sudan and the Sudan Peoples Liberation Movement (SPLM) know very well of my interests in "Human Rights" and Sudanese culture. I have always been up front with them, and from

the beginning I never deliberately hid the fact that I was a student researcher interested in "Human Rights".

The topic of "Human Rights" is a particularly sensitive one to the Sudanese government and rebel groups (SPLM/A and SSIM/A),[279] especially in light of the very negative publicity they have received from various "Human Rights" organisations (Amnesty International, Human Rights Watch, African Rights, Minority Rights Group, Anti-Slavery Society, Lawyers Committee for Human Rights, etc...), the United Nations (Reports by the UN Special Rapporteur -G áspár Bíró- and UN Special Representative of the Secretary General -Francis M. Deng- condemning the abuses of Human Rights taking place in Sudan), from individual nations (examples include the United States, the United Kingdom, the Vatican, Uganda, etc...), individual politicians such as Frank Wolf (U.S. Rep.) and Tony Worthington (British MP), and increasingly, the weekly and daily press.[280]

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[279] SPLM/A= Sudan People's Liberation Movement/Army.
SSIM/A= Southern Sudan Independence Movement/Army.

[280] 1995 has been a very prolific year for many organisations concerned with "Human Rights" in Sudan. Amnesty International, Human Rights Watch, and African Rights have all published book length texts in addition to the reports they normally and periodically release.
Gáspár Bíró, as Special Rapporteur, has released two reports concerning the "Situation of human rights in the Sudan"; 1st February 1994 (E/CN.4/1994/48) and 30th January 1995 (E/CN.4/1995/58) respectively. Francis M. Deng, as the Special Representative of the Secretary General, issued a report focusing on Sudan's "Internally displaced persons"; 2nd February 1995 (E/CN.4/1995/50). All three are United Nations published documents.
The United States government (Department of State) Human Rights report (1995) on Sudan exclaims: "The dismal human rights situation showed no improvement in 1994. Both the Government and insurgents committed serious human rights abuses, including massacres and extrajudicial killing, kidnapping, and forced conscription. A myriad of official and secret government security forces routinely harassed, detained, and tortured opponents or suspected opponents of the Government with impunity." Since I have been working on the Ph.D., the United States, British, and Ugandan governments have had very shaky relations with Sudan regarding Sudan's civil war and in consequence, the violations of "Human Rights". This past year, Ugandan police raided the Sudanese embassy in Kampala, and expelled the Sudanese ambassador from Uganda because of problems along their shared border.

Honesty has played, and still plays, a large part in my work. I believe it was never in my best interests to initiate working relationships with the interviewees (in this case, Sudanese diplomats and rebel group representatives) based on deception and manipulation. Interviewees who are Sudanese government representatives and Sudanese rebel movement representatives have the dual role of not only being important to interview, but also for their ability to use their position to persuade (or my case, dissuade) and influence those in power when one (I) applies for a visa or permit to enter their country (territory). Because of this dual role, it would be absolutely crazy for me to enter into arguments with them because I am in the position where I have to impress them, not the other way around. Whether they choose to deceive me is up to them. In the end, I do not worry too much about the honesty of the interviewees.[281] While conversing with them, I want them to feel

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On 22nd March 1995, before the African Subcommittee and House International Relations Committee, American Rep. Frank R. Wolf stated, "Sudan is a human rights tragedy of the worst kind". Rep. Wolf has visited Sudan on a number of occasions and has been concerned with the situation there for many years. Tony Worthington, British MP, has also visited Sudan, and has campaigned particularly strong against the government of Sudan's treatment of the Nuba.

Articles critical of Sudan's record on "Human Rights" have been found over the last few years in daily newspapers such as the New York Post, New York Times, The Guardian (London), the Wall Street Journal (New York City), the Washington Post (Washington DC), the Washington Times (Wash. DC), El Adelanto (Spain), Arab News (Saudi Arabia); and weekly magazines such as The Economist, U.S. News and World Report, Time (USA), National Geographic (Wash. DC). This list could go on and on, for the above mentioned examples are just off the top of my head. I cannot comment so much on the press in the Far East or Central and South America, but I have read articles concerning Sudan and its "Human Rights" reputation in publications from countries in the Arabian Peninsula (Saudi Arabia), Europe (United Kingdom, France, Germany, Spain), Africa (Kenya, Egypt), and North America (United States). Again, this is just a sampling of what has been written on this issue.

[281] In regards to being concerned with the honesty of the interviewees, I hold a similar opinion to that held by Tore Nordenstam when he writes: "That informants may fail to be honest and serious is, however, no reason for disregarding their ideological discourse. As the discussion of the moralistic attitude shows, detailed morphological investigations

free and easy to say as much as they like. I try, in some way, to record what is said during the conversation -either by using a tape recorder, notebook, or piecing it together from memory after the conversation has taken place- but in no way attempt to aggressively correct the interviewees, or stop them in the process of lying. It is up to them to answer as they like; and I feel my role is that of listener, and making the interviewee feel as comfortable as possible to speak with me.[282]

My research is not about obtaining secret information, nor is it about deliberately agitating people on issues they would rather leave aside. I do not intend to use my research as a political statement, even though the risks of this are not in my favour; and that in one way or another, my thesis will be interpreted as a political statement (for example, taking sides in the Sudanese conflict). The nature of the "Human Rights" issue is perceived by many to be everything political.[283] For example, many of the Sudanese interviewees have interpreted my meetings with other Sudanese as taking a particular side in the multi-dimensional civil war in Sudan, just from the simple fact that I have met with them. Although I did not openly take sides with anything having to do with

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are often necessary in order to decide upon the informant's seriousness and honesty." see Tore Nordenstam, *Sudanese Ethics*, The Scandinavian Institute of African Studies, Uppsala, 1968. p.42.

[282] There are a couple of exceptions which will become apparent later. The exceptions relate only to my 'freedom of movement' when it was jeopardised. What I am stating in the paragraph is just my general rule.

[283] The topic of "Human Rights" was interpreted by nearly all of my interviewees as a political issue. That I did my best in informing them that I was interested more in Sudanese culture than politics made little difference. By "political", I am not referring to any specific definition of the term. I just want to make it clear that from my experience as a researcher interviewing a vast array of displaced Sudanese, most chose to talk almost exclusively talk about politics in discussions on "Human Rights".

either the civil war in Sudan, or criticism from outside of Sudan questioning the "Human Rights" record of the Sudanese government and rebel movements, I was usually associated with one. The problem here is that even though I always have made it explicit that my interests lie in meeting a wide variety of Sudanese people to obtain a broader understanding of their diverse culture(s), the fact remains that for many Sudanese, cultural affiliation (diversity) coincides with political affiliation (diversity).[284] Politics, not culture, dominates the Sudanese "Human Rights" dialogue(s).

Regarding my desire to go to Sudan, my interest lies solely with the Sudanese people, their culture, and the place "Human Rights" has within their lives. My planned task was simply to record how they responded to me, and to the subject matter I was to be attempting to discuss with them. For the purposes of this research, it is not for me to judge the content of the information given to me by my interviewees, but merely to record the data, and later employ it as evidence to support the arguments I am presenting in this thesis.

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[284] A simple example is that the Dinka overwhelmingly support the John Garang (a Dinka) lead SPLM, whereas Nuer generally support the Riek Machar (a Nuer) lead SSIM. I do not believe this example is too exaggerated given that numerous battles have been fought between Dinka and Nuer under the banner of SPLM and SSIM. These battles even spilled over into the Kakuma Refugee Camp, where the Nuer are now forced to live completely on the opposite side of the camp from all the other Sudanese. Thousands of other refugees, primarily Ethiopian and Ugandan, separate them -like a buffer zone. Another battle took place right in Cairo. This one was fought by university students involved in the elections of officers in the Southern Sudanese Students Association (SOSSA). The battle involved supporters of a Nuer candidate for president of the association against supporters of a Dinka candidate. Not surprisingly, the candidates were overwhelmingly supported by their fellow tribespeople. The result was an election between a representative of John Garang's supporters and one of Riek Machar's. Politics dominated the election, after which rival supporters engaged in physical violence. Several of those involved in the fighting were injured and hospitalised.

The data that I am using to support the arguments throughout the thesis was completely collected outside of Sudan. I have inquired about travelling to Sudan in four different countries (the United States, the United Kingdom, Egypt, and Kenya) and have yet to succeed in getting permission to enter. I have strong opinions that the topic of my research greatly influenced those in power to deny me access. I now present the details of my adverse and failed attempts at getting into Sudan.

Preview

An American student at a British university, researching "Human Rights" and Sudan, is open to accusations from the Sudanese government of promoting neo-colonialism and 'Western' cultural imperialism.[285] In addition, the United States and Sudan currently have a very bitter relaitionship. This bitterness, initiated by the military coup in 1989,[286] has worsened considerably since the 1993 World Trade Center bombing in New York City.[287] In 1993, it was

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285 "Human Rights" organisations such as Amnesty International are cited by the government of Sudan as taking part "of a wider campaign organised by the West, under the leadership of the United States of America." The government of Sudan accuses Amnesty International of joining the UN Special Rapporteur (Gáspár Bíró), Crusaders, and Zionists in a negative campaign against its country because of "an age old wrath." The Sudanese government goes so far as to call this campaign "a sort of neocolonialism under the pretext of human rights." I, who have read much of the literature Amnesty International has printed on Sudan, have personally been questioned by Sudanese diplomatic personnel about using my research in support of groups such as Amnesty International, and thus joining in the campaign of 'Western' cultural imperialism. see *A Response By The Government Of The Sudan To The Highly Dramatic Book Published Recently By Amnesty International Under The Title "The Tears Of Orphans"*, Embassy of the Republic of Sudan, Washington DC, 1995.

286 Helen Chapin Metz (ed.), *Sudan: a country study*, 4th edition, Area Handbook Series, Federal Research Division, Library of Congress, Washington DC., 1991. p. 227.

287 A few of the participants in the bombing entered the United States with Sudanese passports, and there was talk that the Sudanese government might have been involved. So much so that the United States soon after decided to include Sudan on its list of nations supporting terrorism. The United States government claimed that the World Trade

even suggested to me by a few Americans and British to look into obtaining British Student travelling papers when applying for a visa.[288] As I was pondering over this thought (academic year 1993-1994), the Archbishop of Canterbury decided to visit rebel controlled territory in Southern Sudan. First of all, this is illegal. Secondly, he had just recently turned down an invitation by the Sudanese government to make an official visit.[289] As a result, both the British Ambassador to Sudan and the Sudanese Ambassador to the United Kingdom were told by each others' governments to withdraw from their posts. At this point, relations between the United Kingdom and Sudan suddenly became worse than Sudan's with the United States, and this meant that relations were pretty cold.

When making connections amongst Sudanese diplomatic staff and rebel movement representatives, I am usually referred from one to another; and even when not referred, I am frequently asked -at other times, I freely tell- whom I have already met from the Sudanese government or a particular rebel movement faction. Like with any organisation, the first connection is crucial. First impressions are many times lasting ones. First meetings are usually a feeling out process, and can be very personal -with the personal

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Center bombing had little to do with labelling the Sudanese government "terrorist", but it is highly doubtful the timing of the "terrorist" label is purely coincidence. I just received a letter dated December 6th, 1995, from the U.S. embassy in London warning me of possible danger in retaliation for the conviction of ten participants in the World Trade Center bombing.

288 I do not know what British Student travelling papers are, or if they even exist. This became a mute point after the Archbishop of Canterbury incident.

289 It must be pointed out that in October, 1995, the Archbishop of Canterbury did successfully complete a three day visit to Sudan. This visit was at the invitation of the government of Sudan.

questions usually thrown in my direction.[290] Afterwards, the academic discussion sets in. My first meetings in New York City at the Sudan Mission were very friendly, and I felt confident at the time that I made a positive impression. Likewise, the official I met with at the time seemed eager to help in any way he could with my work. I have enjoyed comfortable (friendly, but awkward due to the nature of my research) relations with most of the Sudanese diplomatic staff I have encountered. Only in London and Nairobi did things turn ugly, and this was only after I applied for the visa.

As I was making the final preparations for beginning the fieldwork (July 1994), I mailed in my first Sudanese visa application. This was something I thought about doing for quite a long time, but felt I needed to wait for the right moment, and unfortunately, I was unlucky by a little bad timing. The whole visa application process has been strangely difficult.

Case I: The Three Continent Visa Application

The first time I met Dr. Hassan in the fall of 1993, I made clear my strong ambition to spend some time in Sudan. Primarily, I was seeking to lose the feeling of detachment I had with the place and setting I had read and heard so much about during my research. I told him I had been interested in Sudan, and about Sudanese culture in particular, for the last few years; and now I was very anxious to

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290 By "personal", I mean that first conversations between myself and Sudanese government officials or rebel movement representatives have largely revolved around us getting to know each other -sometimes consisting of a conversation over a cup of tea. I mean "personal" in neither a positive sense, nor a negative sense. I am in no way using "personal" in the sense of "a personal attack on someone"; but, "personal" in the sense that the conversation seems to be about me and my background more than my academic topic.

visit. He was very receptive to the idea, and not only did he encourage me to go, he offered me the services of military escorts for whatever travel, outside the capital, was needed to get the information necessary for my research.[291] Obviously, I thought this to be a bit much, but I had no reason to doubt him, or what he could offer me, at the time. Plus, I needed information from him for my research, so I was in no position to question him about any possible motive behind his fine offer.

Over the course of the next few months (into 1994), we had several constructive meetings. Dr. Hassan, himself a scholar, was very helpful in giving me useful information regarding the Sudanese government- in particular, a couple of computer disks containing thousands of pages of embassy publications. During this time, however, relations between Sudan and the United States and United Kingdom deteriorated considerably. Reasons vary, from those I have already mentioned, to those concerning the seemingly endless civil war and my topic, "Human Rights". This unquestionably had an effect on the relationship between us.

Problems between myself and Dr. Hassan actually began to surface in the spring of 1994, when, I noticed, over the course of a couple of meetings, his demeanour change considerably. At first, I did not know what to make of it, but I later realised that as the questions I asked became more complex and showed a growing maturity on the subjects of Sudanese culture, politics, religion,

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[291] Dr. Hassan offered me escorts for travel outside of the "Three Towns" -Khartoum, Khartoum North, and Omdurman- especially if I wanted to travel to Western and Southern Sudan, where there was (and is) the greater possibility of encountering danger due to fighting.

economics, foreign relations, and "Human Rights", he became exceptionally passive and reserved -answering questions in only a few words instead of complete explanations- and as a consequence, our latter meetings gradually become shorter and shorter. Our first meeting lasted a couple of hours; the last few, only between twenty minutes and a half an hour. I can only guess that I was learning more about his country than he thought I should know.

Beginning with our fourth or fifth meeting, Dr. Hassan sounded less and less enthusiastic about my chances of doing on site research in Sudan. Although I had my suspicions, I did not question him about his loss of enthusiasm. When the subject of me going to Sudan and applying for a visa came up at our last scheduled meeting, he let me know that he was not sure if it was possible for me to enter Sudan at all -at the present moment and near future. This was quite a turnaround, and actually a shock at the time -not in the sense that I suspected nothing, but that I had high hopes and was let down. He at no point, in the course of our six formally scheduled meetings,[292] alerted me that things in Sudan were such that would even prevent me from at least going to the capital. At this point, I did attempt to find out from him the reasons behind this rather considerable change in events. He averted answering me directly, so I let it go, and chose not to pressure him.

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[292] Besides the six scheduled meetings, I used to stop by the embassy to see him when I was in the neighbourhood. I understand now that all of Dr. Hassan's offers were just a ploy to give me the impression that he, as a representative of the Sudanese government, was more than willing to cooperate -help me along- with someone doing research on his country -even if the research was on a politically sensitive and controversial topic, such as "Human Rights".

I interpreted his stance to mean that he could not, at this time, do anything for me to get a visa. It did not seem fair to assume he was now refusing to help me because he did not completely discourage me from applying for the visa. In other words, because he never elaborated on why things had changed, I was left with the impression (or false hope) that this new position was only temporary. Whereas in the beginning he sounded very keen on me going, and that obtaining a visa would not be a problem; he was now implying that obtaining a visa, at this time, was next to impossible. He carefully chose his words so I could not be angry with him individually, nor with the Sudanese government. So, I was left thinking what to do. There was nobody to blame, and besides, it was only April. I had plenty of time, so I thought, to plan a new course of action.

I decided that since I met Mr. Hamid (an official and claimed legal expert from the Sudan Mission to the United Nations in New York City) more times than any other representative of the Sudanese government, I should apply for a visa through his office. He had offered so many times to help facilitate a trip for me to Sudan, and was always willing to offer his services and that of the Sudan Mission. It was he who recommended Dr. Hassan in London to me. Unfortunately, he was back in Sudan by the time I had completed preparation for the fieldwork stage of my research and had returned to the United States.[293] He was said by employees of the Sudanese

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[293] In the winter, I called Mr. Hamid from St. Andrews to make sure he would be in New York City when I returned to the United States in June, 1994. He told me he was going to Sudan for a couple of months, but that he would be back for the summer. His trip lasted longer than originally planned.

UN Mission to not be returning to New York City for a few months. Other members of the staff at the Mission office suggested, rather than apply through the Washington DC. embassy, I should apply through the London embassy. They thought my chances of getting the visa were better through the office of somebody who knew me. I was a little hesitant at first, due to the lack of confidence I received from Dr. Hassan, about entering Sudan, at our last meeting in April 1994. This was coupled with the fact that, being back in the United States, the application process would have to be done overseas (this includes mailing my passport); but as I had already picked up the visa application forms during my previous stay in London, and he had offered -in our earlier meetings- to make sure my application would at least be highly considered,[294] I had no better choice than to take my chances. I was just hoping he would revert back to his original enthusiasm about my intentions to travel to Sudan. Plus, I was clearly told at the Sudanese Mission to the UN in New York not to apply through the embassy in Washington DC.

At first, while filling out the visa application forms, I was debating about how to designate myself (for example, a tourist, student, independent researcher, etc...). In the end, I decided to apply as a student doing research for academic purposes. I thought honesty was prudent in this case, especially since I was applying through the Sudanese embassy in London, where two members (Dr. Hassan and his secretary) of the staff are quite familiar with me

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[294] This is where Dr. Hassan is contradictory. He told me at our last meeting that he was not sure if it was possible for me to get into Sudan at all; but at the same time, when I called in July (1995) to tell him I am applying for a visa through his office, he encouraged me to give it a go, and gave me the impression that my chances were fairly good.

and my research. Plus, I had previously been told many times in the past by Sudanese diplomatic personnel, both in London and New York, that Sudan welcomes foreign students.

Early in July (1994), I called Dr. Hassan at the embassy in London to let him know that I was applying for the visa, and that I would like him to put in a good word for me. Wanting to go over the application's directions, he forwarded me to the consular section. The directions were clearly stated by the lady in the consular department that all I needed to send them were a couple of photographs, my passport, and a completed application form. I asked if I needed to send money. The lady said no money was required until/if the visa application is successful.

A week later I called the lady in the consular section to make sure my application, photos and passport had arrived intact; and to find out how long I should have to wait for an answer. She told me that processing for a visa takes three weeks because the application forms have to be sent to and from Khartoum, and that the Sudanese Foreign Ministry office issues all visas. I let her know that I was worried about having to send my passport first to England, then the embassy sending it to Sudan; but there was no way around this.

About two weeks later I called to make sure things were moving along in a usual manner regarding my visa application, and was told nothing was wrong and that there did not appear to be any problems. Well, after another two weeks, I called again, to tell the lady that I was worried about the safety of my passport, and to ask her about any progress made on the application. All she could tell me was that the embassy in London had not received an answer to my

application from the Foreign Ministry office. She said that I need not worry, and to allow a little more time. I had no problem with this, but I made it clear to her, as I did on every occasion I spoke with her, that I needed the passport for my flight leaving New York City on September 20th (1994). Whether my application was accepted for a visa or not, my passport was now the primary issue of importance because I needed it to begin my fieldwork.

Around September 7th, I called London once again from Pennsylvania, and told the lady who had my passport to send it back to me immediately because time did not permit me to wait any longer for a response on my visa application. She told me that she would promptly mail the passport back to me. Well, as the time was rapidly closing in on my departure date (and after having told the lady working in the consular section many times that I was nervous about getting my passport in time), by September 16th, I had not received my passport. I called the embassy, and with a touch of anger in my voice, told the lady in the consular section that if my passport did not arrive I was in danger of having to change the departure date of my flight. She replied, that it had not been mailed because I did not send them the money for them to mail it back to me. My first reaction was, "What money!". I stated that this was ridiculous and that nobody at any time even referred to me sending any money until my application was fully processed; and even then, only if the visa was to be granted. After a brief quarrel, she agreed -so she said at the time- to mail me the passport.

At this point, I felt uneasy about confirming my flight for the 20th of September and felt I had no choice but to postpone the

departure date till the next available opening -September 25th. As a strange coincidence would have it, my passport did in fact arrive on September 20th. I was just exceptionally relieved to get it back in my possession.

I could play dumb, and act like the embassy staff had nothing to do with the visa application process (with the exception of mailing it to Khartoum), except the woman handling visa applications. In the end though, I see that this was simply a stalling tactic designed by Dr. Hassan to harass me, and upset the progress of my work. He was the only one at the London embassy who knew the details of my research. I trusted him simply because I was referred to him by his 'friend' in New York. I never applied for a visa through the Sudan Mission in New York City, and I suppose this is one of the main reasons I had always had a good relationship with Mr. Hamid -that is at least until he returned to Sudan in 1994. It is obvious to me that my relationship with Dr. Hassan was good while going to Sudan was only talk; but as talk began to evolve into action (such as, getting closer to the time when I would apply for a visa), our communication began to break down. Two issues stick out strongly here: first, the lady in the consular section never seemed to know the status of my application, from the time she first received it, till almost two months later;[295] second, I could not even trust them to mail my passport back to me -even though they knew the exact date

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295 What I mean is that her answers to my questions concerning progress made on the visa application were always 'wait and see'.

of my flight.[296] They knew that without my passport, I could not begin my fieldwork. This was a very strong hint, telling me that I am not welcome in Sudan by the government.

Case II: Begging In Kenya For A Lift To Sudan

On September 26th, 1994, at approximately 11:25 PM, the plane touched down in Cairo's main airport. I was not as nervous as I expected on this my first trip to Egypt, the Middle East, and Africa -all at once. The airport was not crowded, so after moving through customs and shrugging off a few offers for accommodations, it was surprisingly easy to collect my baggage and head outside to grab a taxi. Like many first timers, I think, I was hustled into paying slightly more -actually triple- than I should have for the ride from the airport to the hotel where I was to make my home for a couple of months of research.[297]

Before beginning the actual fieldwork in Cairo, I thought it worth the effort to find out as soon as possible the feasibility of getting into Sudan from Egypt. Knowing I could get into Sudan, legally, at this stage would free my mind of having to build up connections with members of the Sudanese rebel movements primarily to get into Sudan, illegally.[298]

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296 I am using "them" to refer to the lady handling my visa application and Dr. Hassan. I believe both played a role -his bigger- in this simple form of harassment.

297 The Garden City House is more of a rooming house than a hotel, with many long term visitors -including scholars and researchers. It is situated right in the centre of Cairo, about a block from the Nile and two blocks from Tahrir Square and the American University in Cairo.

298 As an individual, if I enter Sudan into rebel controlled territory, using a permit issued by the rebels, I am in clear violation of Sudan's national sovereignty.

Two days after arriving in Cairo, I dropped by the Sudanese embassy. When I arrived (right around the corner from the American embassy), there was a huge crowd of Southern Sudanese hanging around outside -many of them applying for new passports.[299] It was a strange scene. I went inside to a window -like a bank teller's- and asked for a visa application and my chances of actually getting into the country as a student researcher. First, I was given an application. The application consisted of five copies of one form, with each having to be filled out separately. As well, to complete the form, one must get a recommendation from a Sudanese government official. I asked him if I needed to fill out the application forms if I wanted to enter Sudan as a tourist to visit Nubia. The man told me that tourists can take public transportation to the border by road, get the visa and cross into Sudan via Wadi Halfa. I was not so sure about this, so at this point, I politely thanked the man at the embassy and left.

Over the next few days I spoke to some Egyptians and Sudanese about entering Sudan by road. They all told me that the road from Abu Simbel (Egypt) to Wadi Halfa (Sudan) was now closed for "security reasons".[300] Now knowing that the man at the embassy

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[299] There are countless displaced Sudanese in Cairo who are trying to leave for Europe, Australia, and North America. They need their passports to apply for immigration to any of these places. After staying in Egypt for a long period of time, these passports expire, and they must get them renewed at the Sudanese embassy. This is not always so easy, for I have heard that sometimes the Sudanese embassy in Cairo does not always renew the passports, thus forcing some displaced back into Sudan, the last place many want to be at this time.

[300] Travelling in Upper Egypt was very limited for foreigners while I was in Egypt (from the end of September, 1994 till the second week of January, 1995. I found this out while visiting the temples of Rameses II at Abu Simbel. We could only stay for three hours, before we (in buses and cars) were forced to leave in a northerly direction. Foreigners were not allowed to go further south than this point.

lied to me, I decided that I would put aside the idea of entering Sudan with a visa, and take my chances with obtaining a permit from one of the rebel movements to visit an area in the South they control via Uganda, Kenya, or Ethiopia.[301]

I could tell from the tone of the man's (at the Sudanese embassy) voice and the way he led me on -encouraging me in a persistent manner to get the visa at the border instead of by application- that as an American citizen, there was no way my visa application was going to be accepted through this embassy, especially as a researcher. I asked him specifically if my chances were good by applying as a student, and the answer I got was very wishy-washy. Sudanese embassy personnel know how to imply a "no" answer very strongly, without ever uttering the word.

After being rejected in two different countries, in two completely different ways, from two different embassies of the same nation; I knew that if I wanted to visit Sudan, I would have to enter illegally via one of its southern neighbours into rebel controlled territory.[302] Almost desperate to go to Sudan, and curious to find out if it was in fact possible for me to get in, I spent a portion of the first month in Egypt meeting with those who

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301 I went to the Ethiopian embassy in Cairo to inquire about obtaining a visa. I was told that I could not apply in Cairo, and that because I am an American, I would have to go to Washington DC. and apply. This is ludicrous, for they knew I would not fly back to the United States to pick up one of their visa applications.

302 I feel it is appropriate in both instances to characterise me not being able to get the visa as rejections. They are not direct rejections in the sense that someone told me, "You are not allowed in Sudan"; but the result is exactly the same. One chose to harass me, while the other lied. One does not always have to say the words to get across the meaning. Egypt actually marks the third country where I have attempted to get a visa to Sudan. Previously, I tried in the United States and the United Kingdom.

had connections with and were members of the Southern rebel groups -Sudan Peoples Liberation Movement/Army, Southern Sudan Independence Movement/Army.[303] This included meetings with a commander and an officer (active fighter) of the SPLM/A. They were the two most influential and highest ranking members of the group in Egypt at the time.[304]

Previous to heading for Egypt, I met with SPLM/A representatives in London (including the chief representative for the United Kingdom and Ireland, Dr. Biong), to inquire about the possibilities of visiting the areas of Sudan under their control. They gave to me the addresses and telephone numbers of their associates in Kenya, and told me that I should use their names as references when applying for the SPLM visitors permit. Well, using their names in Egypt helped me to get acquainted with many members and supporters of the SPLM, and I believe helped break the ice between myself and those fearful that I may be a journalist or spy.

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303 The SPLM/A and SSIM/A are not the only rebel movements. Lam Akol, former spokesperson of the SPLM, broke away in 1992 to join the Riek Machar led SSIM (formerly SPLM-United). Then in 1994, he broke from Machar, and is now claiming to have his own faction. As well, Anya Nya II was formed by former Anya Nya officers opposed to the Addis Ababa agreement of 1972. Anya Nya was the military wing of the 1960's movement titled, "Sudan African National Union." see Francis M. Deng, *War of Visions: Conflict of Identities in the Sudan*, The Brookings Institution, Washington DC., 1995. also see J. Millard Burr and Robert O. Collins, *Requiem for the Sudan: War, Drought, & Disaster Relief on the Nile*, Westview Press, Inc., Boulder (Colorado), 1995.
I have been using the term "rebel" to mean militant movements against the current government in Sudan. I am not using the term "rebel" with a particular value attached to it. What I mean is that I do not want the term "rebel" to be understood in this thesis in a way that necessarily legitimises the current Sudanese government.

304 Arthur Akwen is a senior member of the SPLM and has a home in Alexandria; but while I was in Egypt, he was with his other wife, at his other home in Kenya. I did go visit his family in Alexandria. About two weeks before leaving Egypt, the SPLM representative from Germany, Edward Lino, was in Cairo (December 22nd, 1994) to attend the press conference for the Chukudum Agreement -between the UMMA Party and the SPLM.

Everybody I met affiliated with the SPLM supported my work, and urged me to visit their native land.[305] I was very encouraged at this point because I felt that I was gaining their trust. This was until I continued my research in Kenya.

I arrived at Jomo Kenyatta airport in Nairobi, the morning of October 24th. The day I arrived, I attended a meeting (mini-conference) on Sudan at the Comboni House. The Comboni House is a residence for the Verona Fathers, a group of priests with a long history of contact with the peoples of Sudan.[306] They are currently very active in Kenya, participating with other (primarily Christian) organisations (for example, People For Peace, Mennonites, Maryknolls, etc..) concerned with ending the bloodshed in Southern Sudan. The speakers at this meeting provided me with my first Kenyan contacts, enabling me to get an early start.

A couple of days later I got in touch with the local SPLM/A (SRRA) office in Nairobi, and arranged for an appointment with

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[305] I personally have not taken sides with the SPLM/A (led by John Garang), as opposed to those sides led by Riek Machar (SSIM/A), Lam Akol, and others. The fact that I have better contacts with the SPLM, than with the other rebel movements, is the result of the SPLM being more easily accessible in London, Egypt, and Kenya.

[306] Though, not the first Catholic missionary to set foot on Sudanese soil (for that honour belongs to Father Luke Monsori who arrived in Khartoum from Abyssinia in July, 1843), Daniel Comboni came to Sudan in 1857 as part of a five member missionary team sponsored and organised by the Mazza Institute in Verona, Italy. Comboni's influence on Catholic missionary activity in Sudan represented a turning point on missionary methodology. He was a champion of direct involvement within the African community, which for Sudan meant learning a variety of languages (such as, Arabic, Dinka, Shilluk, etc...) and customs. So great is his influence that Sudanese scholar, Hassan Makki Mohamed Ahmed, gives him the title, "the father of Catholicism in Modern Sudan." see Ahmed's book: *Sudan: The Christian Design (A Study of the Missionary Factor in Sudan's Cultural and Political Integration: 1843-1986)*, The Islamic Foundation, Leicester (UK), 1989.

Dongrin Mac (Director of the Office of the Commander in Chief).[307] Upon reaching the office, I was instead handed to Ray Lado, the spokesperson for the SPLM/A. Unquestionably, he was the most sarcastic, and outwardly suspicious member of the SPLM I had met. I suppose this is natural given that his job requires him to spend much of his time defending accusations against the SPLM/A, and explaining the position of the SPLM to the public; in other words, saying the 'right' things to foreigners (for example, journalists, workers for NGO's, researchers etc...). His position, however, also allows him to decide who should and should not receive an SPLM permit for access to SPLM/A controlled areas.

Our first meeting was very much a feeling out process. Even after I told him of five or six meetings I had with different members of the SPLM, he was still very distrustful of me. He really drilled me with many questions, and the mood was always far from cordial. Over and over again I had to justify myself and my reasons for 'wanting' and 'needing' to go to Sudan. Forgetting the important differences between wants and needs, I made the mistake of telling him that going to Sudan was not a requirement for the Ph.D., and my advisor understood that entering Sudan at the moment could be risky. I should have kept my mouth shut. Now, I had to win him over with whatever charm I could muster. First, I did my best to convince him that my want to go to Sudan was based on the desire to understand

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[307] SRRA stands for Sudan Relief and Rehabilitation Association. This is the name of the relief arm of the SPLM/A. The offices of the SPLM/A in London and Kenya are listed only under the name, SRRA, even though both, the SPLM/A and SRRA, share the same office. In reality, they are one and the same. Obviously it would not look right if Kenya and the United Kingdom knowingly and openly harboured members of rebel armies, and allowed them to function freely.

Sudanese people better for a more accurate representation of their opinions in my thesis; and second, that the SPLM represented the most recommended organisation, by Sudanese and non-Sudanese, to provide help with getting into Sudan.

I told him that I was neither particularly interested in the SPLM nor the Sudanese government. It is just that I have no choice but to get to know them, in order to obtain the proper travelling documents. My interest lies with viewing the Sudanese in their own land, regardless of the devastation that has taken place from the years of war, and the potential risks to me. I explained to him that I was concerned about what the people themselves felt about "Human Rights", and that it was important for me to understand how "Human Rights" -or "Human"- is interpreted in their culture. Obviously we both realised that going into a war torn area would not allow me to view a 'traditional' Sudanese culture in motion; but the fact is that in many parts of Southern Sudan, 'traditional' culture has been non-existent for many years, as the prolonged war has not only disrupted the lives of many families, it has uprooted whole communities. My point is this: War, or fleeing from it, has become a part of the daily culture for many Sudanese. This, I believe, is worth seeing in order to understand the impact it truly has had on the region and its people.

"How can I not feel detached from the people I am studying if I can not enter their country," I told him. I let him know, in almost a pleading tone, my purpose in wanting to visit Sudan lies with the fact that I am having to interpret the meaning of a "Human Rights"

concept through cultural practices I have not seen, but have only heard.

At the end of the meeting, Ray Lado said that he would recommend that I be allowed to enter Sudan and spend a limited time (about a week) in one of the towns controlled by the SPLM/A, in an area that was declared to be safe, and where an NGO (or PVO) was currently operating. He stipulated though, that I would have to arrange for my own transportation and arrange for the appropriate NGO to cover me (claim responsibility for my safety).

At this point, I did not know where to begin. There were so many options because almost all of the development, relief, and humanitarian aid organisations who are active in East Africa, have their main offices in Nairobi. I thought contacting the offices of Operation Lifeline Sudan (OLS) -a huge humanitarian relief project involving governments and NGO's under the umbrella of the United Nations- was the most sensible place to start, since almost all of the aid organisations concerned with Sudan are within Operation Lifeline Sudan. Their offices are located at the UN compound in Gigiri (a section of Nairobi). Since I was unable to talk by phone with the people who could actually help me get into Sudan (for they were supposedly out of their offices for a few weeks),[308] I was told by a secretary that I could come by and leave a written statement of who

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[308] Specifically, I was looking for Sean Evans. I do not know his specific title at OLS other than that he told me he is in charge of "Humanitarian Principles". Nonetheless, he was the person everybody in Nairobi told me to get in touch with about transportation to Sudan. I tried for weeks to make contact with Sean Evans. His tight work schedule, plus the Nairobi phone system, just did not allow me to reach him. If I could have met with him in the beginning, I am almost sure I would have gotten into Sudan.

I was and what I was looking for from OLS, and that whoever I needed to speak with would get back to me. I went to the OLS office personally to submit a résumé and a two page explanation of why I needed to go to Sudan and why I was coming to them for assistance on how to get there. I do not believe my materials were read by whom they were intended because about a week later I received a phone call telling me that they were refusing to honour my request based on the fear of danger and responsibility. The person who called me was merely the assistant to the person I was wanting to contact, who, according to this assistant was nowhere to be found.

At the time, I was really frustrated, because the OLS could have at least pointed me in the right direction, instead of saying they could do nothing, when they are affiliated with most of the connections -NGO's and PVO's. Individuals from many of these groups (NGO's and PVO's) must get the same SPLM permit I am seeking to get; the only difference being they have employment contacts.

I turned in a new direction and sought the assistance of Richard Gilbert, coordinator of the Lutheran World Federation's (LWF) Emergency Operations, based at the LWF's Nairobi Liaison Office. The Lutheran World Federation is one of the wealthiest NGO's active in Sudan; for example, they have their own planes, whereas other NGO's have to rely on planes provided by the United Nations. The Lutheran World Federation is not a part of Operation Lifeline Sudan, but is joined by the World Council of Churches and Caritas Internationalis in making up the Sudan Emergency Operations

Consortium (SEOC).[309] As well, the LWF is one of the few NGO's that has good contacts with the Sudanese government and the SPLM.[310] They are operating in Southern areas controlled by both parties; as well they can provide transportation and a place to sleep. Gilbert and I had a good talk, and at the end, he denied my request to go to Sudan. Instead, he offered to arrange for me to go to Kakuma Refugee Camp in north-west Kenya. He, like the OLS, played the 'responsibility' card for not allowing me to enter Sudan under their name.

Going to Kakuma (November 3rd-8th) was a very good opportunity for me. In addition to conducting interviews with many refugees, one of my main objectives was to see what connections I could make at the camp with NGO's and SPLM members. I felt I could now also use the fact that if an organisation (LWF) was willing to bring me to a refugee camp in Kenya, why could not any organisation allow me to visit a camp for the displaced inside Sudan? If the LWF allowed me to travel under their name, why could not another NGO and the UN do the same?[311]

At Kakuma refugee camp I met an American, Rev. Dr. Mike Nolan.[312] He has been going in and out of Sudan for nearly fifteen

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309 The Lutheran World Federation does work with OLS, but is not a part of OLS. For example, the United Nations hired LWF to manage Kakuma Refugee Camp. LWF has more autonomy by not being under the UN umbrella -OLS.

310 My comments about the Lutheran World Federation are based from a conversation I had with Richard Gilbert in Nairobi on 28th October, 1994.
Members of LWF travel to Sudan with both Sudanese visas and SPLM permits.

311 Interviews that took place at Kakuma will be described in another chapter. I would like to point out that Kakuma Refugee Camp is a great place to meet SPLM members. It is well known that the camp is a rest and relaxation place for many SPLA fighters.

312 Mike Nolan is a scholar on Christianity in Sudanese and Dinka culture. Among foreigners, he has some of the most intimate contacts with the Dinka people. Meeting him was a strange coincidence because, like me, he is from the United States, and like

years, doing missionary work for the Episcopal Church. I explained to him what my research was about, but that I was so far denied access into Sudan. He (an SPLM permit holder) could not understand why the SPLM was being so difficult about giving me a permit, and why the United Nations refused to allow me to go under their name or that of an NGO within the OLS umbrella. It took him only a few minutes, however, to realise the advantages he has by being associated for so long with SPLM allied Dinka. Nolan, having done his fieldwork in Sudan, was very supportive of my quest to have the same opportunity. Besides giving me the names and numbers of his friends at Oxfam, Norwegian Peoples Aid, and the New Sudan Council of Churches, he thought using his name and that of Archbishop Nicholas Garang's,[313] whom I also met at Kakuma, would help in convincing organisations (affiliated with the New Sudan Council of Churches) to allow me to travel to Sudan under their name. The Archbishop even let me know that if I needed a letter from him to influence an NGO connected with the New Sudan Council of Churches (NSCC), he would be happy to write one.

Upon returning to Nairobi from Kakuma, I felt confident that I finally met the right people to get inside Sudan. After hours of only hearing a busy signal, I was finally able to speak with Rodney Schaffer of the NSCC and tell him about my meetings with Mike Nolan and Archbishop Nicholas Garang, and that I was using them as references in asking for help from the NSCC to go to Sudan. As we

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me, decided to study about Sudan for a Ph.D. in Scotland. We actually met in Lodwar, Kenya, when the six passenger plane stopped to refuel before heading to Kakuma.

[313] Archbishop Nicholas Garang is the Archbishop of Bor in the Southern Sudan administrative district of Jonglei.

were talking, I mentioned to him about getting in touch with Sean Evans of UNICEF (Operation Lifeline Sudan - Southern Section), because everybody that I spoke with about going to Sudan mentioned that Evans was the one who has the authority to decide who goes to Sudan using transportation provided by the United Nations. As coincidence would have it, Sean Evans was in Rodney Shaffer's office that very moment. Rodney put Evans on the phone and we arranged to have a meeting at the Jacaranda Hotel the next day.

Knowing that the meeting was to be a brief one, we did not engage in a friendly chat. I told him what I was researching, why going to Sudan was important for my research, and whom I had met so far regarding the issue of transportation and lodging. Operation Lifeline Sudan works with many aid agencies, but almost all are affiliated or working with the John Garang led Sudanese rebel faction (Sudan Peoples Liberation Movement). So, although Sean Evans single handedly has the authority to book me on a flight into most rebel controlled territory in Southern Sudan, he prefers to work in SPLM controlled areas. He agreed to book me on a UNICEF flight, and after discussing with him the most suitable NGO for me to travel with, he concluded that the Save the Children Fund (UK) was my best chance for success since he knows Ned Thatcher (SCF's programme coordinator) and I know Ned Thatcher. I told Evans that I had met with Ned Thatcher nine days earlier; our meeting ending very inconclusively about whether or not the Save the Children Fund would indeed allow me to go to Sudan under their name. At this point, I was convinced that all I needed to fully sway Thatcher was a call from the likes of Sean Evans to support my case.

At the first meeting between Ned Thatcher and myself, and after a brief discussion, Ned turned me over to a consultant for SCF, Jim Ryan (British Anthropologist). The decision about me going to Sudan through the Save the Children Fund was going to be up to Ryan. As an anthropologist, there was really no way he could not recommend that I go to Sudan since my research concerns Sudanese culture. With Jim Ryan's recommendation and my tactic of implying that SCF owed me a favour for previously being their volunteer in 1993 in Nepal, Ned Thatcher seemed undecided about what he was willing to offer me. So we parted company on good terms; but since I had the feeling that the door was still open, I always kept my chances with SCF on the back burner.

After my meeting with Sean Evans, he called Thatcher to let him know what he was proposing (regarding me). Later, I called Thatcher to check if he agreed with Evans. He did. The transportation had been arranged between the two them, and the itinerary consisted of a five day trip to Akon, in the district of Northern Bahr El-Ghazal.[314] Ned Thatcher, himself, was going to Akon in a few days, and wanted to be there the same time I was to be there -because he, essentially, was to be responsible for me. Next, Ned Thatcher got in touch with Ray Lado to arrange for me to acquire the all important SPLM permit.

When I went that same afternoon to pick up my permit from Lado, he told me he could not authorise it because he needed a letter in writing from Ned Thatcher explicitly saying that the Save the

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[314] Sean Evans and Ned Thatcher spoke to coordinate my trip to Akon under the auspices of the Save the Children Fund/Operation Lifeline Sudan on a UNICEF plane.

Children Fund would take responsibility for my well being in the Southern Sudanese town of Akon. I felt that this was unnecessary since Ray Lado and Ned Thatcher know each other very well, and neither ever mentioned anything about a letter to me. For official purposes, I did not think this was an unusual request (as much as it was a big hassle), so the next day I had Ned Thatcher fax a letter to Ray Lado. Again, I went to Ray Lado's office to pick up the permit, and this time I'm hit with the words, "according to our records, Save the Children is no longer operating in Akon". I was absolutely shocked at the audacity of the man and replied to him that this could not be correct since Ned Thatcher was going to Akon, with an SPLM permit of his own, a couple of days before my scheduled flight. Lado telephoned Ned Thatcher in front of me at my request to discuss the matter, though the conversation that took place consisted of nothing more than Ray Lado, in a nice way, calling Thatcher a liar by insisting that the Save the Children Fund was not operating in Akon even though Sean Evans and Ned Thatcher were part of operating an official OLS relief mission in Akon.[315]

Next, Ray Lado brings into his office, "Achol", the 'immigration officer' of New Sudan,[316] to explain to me why I could not go to Akon specifically, and that I could go anywhere else in the South controlled by the SPLM/A, especially Maridi -in the district of

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[315] Ned Thatcher even called Ray Lado the next day to ask him to reconsider, but to no avail. I later spoke with Turner and he remarked that, "there is an interesting subscript here"; referring to the way the SPLM led me to believe they would give me permit, when at the end, it seems they never intended to.

[316] "New Sudan" (or "New Kush") is used to refer to those parts of Sudan under the control of the SPLM/A. The term is an ever changing one, depending on the success of the SPLA fighters. Their goal is for "New Sudan" to encompass all of Sudan. Ray Lado was the only Sudanese I met who used the term "New Sudan" in normal conversation.

Western Equatoria.[317] The whole situation just did not make sense to me because Lado knew the people (NGO's) I was talking with, and the destinations that these people were offering. This included Ned Thatcher, and his offer to take me to Akon. I did exactly what was asked of me by the SPLM in order to receive a permit by them; then after one month of begging OLS and every NGO that would speak with me, they turn around and effectively say what I have done is not good enough for them. I now had to move on and forget about going into Southern Sudan.

In the end I realised Ray Lado was doing his best to make the SPLM look good to give me the impression that they are an open and cooperative organisation. My impression now is not so much that the SPLM is uncooperative, but that they are extremely uncomfortable with an independent researcher roaming 'their' territory with the possibility of witnessing something potentially damaging to their reputation. The runaround I got from the SPLM was strikingly similar to that given to me by the Sudanese embassy in London. When all I requested was a meeting with an official, I usually got a positive response; but when I pressed about the possibility of visiting Sudan, things turned sour. People I made such an effort to be cordial and honest with turned out to be backstabbers. This is one of the consequences of the brutal civil war. Nobody trusts anybody.

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317 Oxfam was pulling out of Maridi at this time due to renewed fighting in the area. Lado and "Achol" were attempting to trick me into playing the game all over again.

The entire situation was very political because for one to go into Southern Sudan as an independent researcher, he/she needs a permit from an opposition group (generally the Sudan Peoples Liberation Movement or the Southern Sudan Independence Movement), sponsorship from an NGO or PVO affiliated with a particular opposition group (for example, the Save the Children Fund does its work primarily in SPLA controlled areas, whereas *Medec ínes San Frontiers* has better relations with the SSIM), and transportation provided by the UN -which has its favourites as well (for example, the UN works a lot closer with areas controlled by the SPLM/A). The Lutheran World Federation is an exception in that it can provide both, coverage (for responsibility) and transportation. Otherwise, it is unbelievably difficult to coordinate all three of these -UN, NGO, SPLM/SSIM- groups together. None of them are too keen to sponsor an extra person (such as a researcher). They all work together (knowingly and unknowingly) to create a bureaucracy that effectively bans people, who are not part of this international relief effort "club",[318] from travelling to the rebel controlled areas of Southern Sudan. As follows:

1) The UN avoids added responsibility, and claims it fears for the individual's safety.

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[318] This "club" is made up of the decision makers of all those organisations participating in the relief effort for Southern Sudan. These decision makers know each other very well, and communicate with each other frequently. What makes them a "club" is that they are a tightly knit expatriate community using the exact same tactic to get rid of people they do not all know. For example, in my case, one phone call led to another, then another, and another, until I went around full circle and was back to where I started, without getting any closer to Sudan. It is an excruciatingly frustrating process. The big issue is safety. Nobody in the "club" wants to be responsible for the safety of a 'stranger' in Southern Sudan.

2) An NGO/PVO considers another person as extra baggage, and as well claims to fear for the individual's safety.

3) The SPLM fears independent research could uncover something to damage its reputation. It must be understood that the SPLM is happy to give permits to organisations that provide food and supplies to the people within the territory it controls; something an independent researcher cannot provide them with.

Research in Southern Sudan can only be carried out if the researcher has major connections with high ranking members in at least one of the rebel movements, with those involved in relief, in development, and in humanitarian aid organisations.

Case III: Giving Things A Last Chance

Part I

Towards the end of my stay in Kenya I met with a man (Prof. Ihab) who was friends with people from the UMMA party in Cairo.[319] Prof. Ihab and I did not talk much the first time I went to his office (November 10th), which was just to deliver the package, because he had a guest. I dropped in to see him a few days later on the 14th. We got along real well, and talked for a couple of hours. It was at the second meeting that we discussed my research at length. It just so happened that he had a contact working at the Sudanese embassy in Nairobi whom he thought would get me into Sudan. Not wanting to let a day go by, I went straight over to the Sudanese embassy on

[319] The UMMA Party is a Sudanese Party with the base of its supporters in Western and Central Sudan. Sadiq al-Mahdi, the last elected prime minister of Sudan, is the current leader of the UMMA Party.

November 14th to meet with the Second Secretary, Mr. Sahib. After mentioning to him that I was referred by his friend, I explained my situation -except my contacts with the SPLM- and why I wanted to go to Sudan -Khartoum.[320] He told me that I had to fill out the visa application forms and I would have to leave my passport at the embassy. I let him know then and there that I could do so for only a couple of days -November 14th to 17th- because I needed the passport, no matter what, for my one week excursion in Uganda (starting the evening of the 17th). He told me that the visa application process takes only a couple of days and that I should know the answer before going to Uganda on November 17th. I did not feel too uncomfortable about leaving my passport because it did not have to -according to him- be sent to Sudan, unlike in London.

I called the embassy on the 16th and the 17th; and by the 17th, a decision had not yet been made on my visa application. Nonetheless, I had to pick up my passport immediately (November 17th). I found out the hours Mr. Sahib was available and went to the embassy at the time I was told to arrive, yet was left sitting in the waiting room for two and a half hours. For the first hour, I had the secretary call Mr. Sahib's office, and each time she said he was busy with someone. Then I saw Mr. Sahib leave the embassy. I asked the secretary where he was going. She told me he was going to pray. Another hour and a half goes by, and he does not show up from his 'prayers'. I ask -and by this time I was furious- "Where is Mr. Sahib?". I told her, "I need my passport!". She replied that he had

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[320] Khartoum is the only destination in Sudan from Nairobi for standard commercial flights.

gone home for the day and that I would have to come back in the morning for the passport. I told her I could not come back tomorrow, and that I would not come back tomorrow, and that if I needed to get the police to get back my passport, I would. I repeated my claim that I had told them many times the date I needed my passport back. She called some other officials at the embassy out to the front desk, and they said that Mr. Sahib's office was locked and there was no way to get in because only Mr. Sahib had the key. I told them to call him at his home, which they did (after a little bit of grumbling); and soon after, one of them "miraculously" got my passport from his office. This accounts for the second time Sudanese officials have used exactly the same tactic -hold on to my passport to restrict my movement- simply to harass me. There is not a doubt in my mind that the Sudanese embassy in Kenya was able to get information about me from the Sudanese embassy in London and/or Foreign Ministry office in Khartoum.

Part II

Meanwhile, during the period of November 14th and 15th, Prof. Ihab called on my behalf to Dr. Jake Nhial (a high official within the SPLM) and Ronald Bol's wife. Knowing my story of attempting to get into Southern Sudan, the Professor thought that a few simple calls would do the trick and allow me to go to Southern Sudan with the Save the Children Fund or another NGO. Prof. Ihab was instructed by them to tell me to come by the SPLM office because they were offering me a permit for Maridi. I decided to give it one last shot, but all they (specifically, an office assistant at the SPLM office) did

was lie again to me, by falsely offering me a permit to go to Maridi. I knew very well that Maridi was a town in the process of being evacuated because of expected fighting. Sean Evans himself told me that he would not allow me to go there, and that Oxfam was preparing to pull out. This was really just a desperate effort on their -the SPLM- part to avoid any bad blood between them and myself. In this case, I knew better than the Professor, and his efforts went in vain.

Ending

I do not harbour any ill feelings now, for the visa application and SPLM permit process allowed me to meet the people I needed to meet, however unexpectedly. I went to Egypt hoping to get into Sudan, and instead found an entire Sudanese world within Egypt.[321] I went to Kenya on a quest to enter Sudan from the south, and instead hit a bureaucratic wall of NGO's, SPLM representatives, and OLS personnel; enabling me to learn through hardship and frustration, the competitivity, yet camaraderie, within the collective international Sudanese relief effort.[322] This effort takes the form of massive amounts of medicine, food, and supplies -sent in to Sudan on an almost daily basis. That these people (in Kenya) would not help me

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321 Estimates for the Sudanese population in Cairo have ranged from one to three million. For all of Egypt, I have heard estimates as high as five million, and as low as three. Personally, I tend to agree a bit more with the lower estimate, but higher estimates are hardly shocking. Sudanese people represent an exceptionally visible immigrant/refugee and cultural group in Egypt.

322 There is an aspect of competitiveness within the international Sudanese relief effort. It has been accused of being a business, and a major cause in prolonging the Sudanese civil war. At the least, accusations have circulated of creating food dependency; at the most, accusations have sifted through the cracks about the supplying of medicines and arms to rebel factions.

get in to Sudan is something that I have learned comes just as much with the territory of being an outsider (independent), as it does with researching "Human Rights".

The positive side to my experience(s) is that all of the unexpected happenings and people I met became an integral part of my research. In the end I believe my research was enhanced by the constant unpredictability associated with studying "Human Rights". I realise that many more people pretended to trust me than actually trusted me. This is good because I understand a little now the problems people -of NGO's, the UN, SPLM, Sudanese government- have when confronted with somebody (me) interested in a subject they find difficult to talk about; even though, in both Egypt and Kenya, they tried to hide their feelings from me.

One of the biggest surprises for me was the ignorance on the part of many of my Sudanese friends (and myself) in the United Kingdom and Egypt in regards to the complexities involved with a student doing research of my kind. Many were absolutely shocked, that with all of the connections I made, the SPLM still denied me access into Southern Sudan. There was not quite the same feeling of shock when any of the Sudanese embassies denied me access. This is a reflection really of the unpopularity of the Sudanese government amongst most of the Sudanese I met. Many displaced Sudanese specifically blame the current government of Sudan for creating an intolerable environment (in Sudan), thus forcing them to flee and seek refuge in a foreign land.

I really get a sense now of the strong political connotations associated with "Human Rights", based from the treatment I received

from the people I attempted to go through in order to get into Sudan. Whether I openly chose to take a side or not, both in the Sudanese civil war and the campaign against Sudan (government and rebels) by international "Human Rights" research organisations (such as Human Rights Watch) with regard to abuses of "Human Rights", I was almost always placed on one.

I figured by the time I got to Kenya, things would be in place to finally allow me to go to Sudan. I thought the hard work of making connections and impressing the right people had been done in Egypt and the United Kingdom. I was sorely mistaken. Each time it seemed I was getting closer to Sudan, another hurdle was thrown my way.

Looking back to when I was planning my fieldwork, I realise that there was no way I could have foreseen my fieldwork experience to be so drastically affected as a result of other peoples perceptions of me as a researcher, interested in "Human Rights".[323]

Three Settings

Egypt

Fieldwork experience in Egypt opened my mind to a whole new unresearched topic concerning Egypt's Sudanese "refugees", most of whom are denied the recognition of refugee status; thus, most are denied the minimal benefits they should rightly qualify for.[324] They

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323 I have attempted to present, as clear as possible, my experiences trying to get into Sudan. I did not mention every organisation and/or individual I contacted about getting into Sudan because many times connections I thought were beneficial, wound up being dead ends. The cases put forth represent instances I thought had legitimate shots for success; and thus, I pursued them to their fullest extent.

324 The latest publications (books) on Sudan by the Minority Rights Group and Human Rights Watch/Africa are two of the very few publications I've read that specifically mention the denial of refugee status for Sudanese in Egypt. see Minority Rights Group International, *Sudan: Conflict and minorities,* Minority Rights Group, London, 1995.

have come to Egypt in increasing numbers in the past few years, and it does not look like these numbers will slow down in the near future.

With this in mind, a growing problem exists, and questions need to be answered. Firstly, why hasn't much research been done on the reasons for the massive Sudanese refugee community in Egypt[325] (as opposed to Ethiopia, Kenya, Uganda, Zaire, and Central African Republic)?[326] Secondly, how are the Sudanese coping with little or no assistance from the United Nations High Commissioner for Refugees (UNHCR)? Festus Ufelle Ga-aro, himself a Sudanese, conducted research on these and other questions in the summer and fall of 1994. Ga-aro's research and a recent study by the Near East Foundation/Center For Development Services in Cairo represent the only substantive work on the contemporary situation of the externally displaced Sudanese in Egypt.[327] The point I want to make here is that the situation has remained far too quiet.

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p.19-20. also see Human Rights Watch/Africa, *Behind the Red Line: Political Repression in Sudan*, Human Rights Watch, New York, 1996. p.295-296.
When I say "minimal benefits", I am referring to whatever is needed to properly feed and clothe a family.

325 I have done research at the United Nations library. I asked members of the United States government. I have brought up the topic with employees of NGO's (and PVO's). I raised the issue at the Sudan Studies Conference in Philadelphia in May, 1994. Very few people are actually aware of the large "refugee" population in Egypt. Even fewer could offer me suggestions as to where I could start looking for information on this matter.

326 Sudan also borders Chad, Libya, and Eritrea; but the war is primarily being fought in the South, so it would be natural to think that the majority of the displaced would flee to their nearest southern neighbour. This has proven to be not the case with the amount of Southerners around the Three Towns and in Egypt.

327 see *A Needs Assessment On Economic Needs And Women's Health Of The Displaced Sudanese Community In Egypt*, Near East Foundation/Center For Development Studies, Cairo. 1996.
Anita Fabos, an Anthropology student at Boston University and based at the American University in Cairo, is currently conducting research on the displaced Sudanese community in Egypt.

Southern Sudan borders many nations,[328] yet there are literally tens of thousands more Southern Sudanese in Egypt than any other country.[329] This was openly revealed to me from an official concerned with the situation of displaced Sudanese in Egypt at the American Embassy in Cairo. Add this amount of Southern Sudanese to the rest of the Sudanese population in Egypt, and you have a community of Sudanese in Egypt between three and five million.[330]

The Northern Sudanese community (excluding Northern political exiles[331]) in Egypt has always been sizeable,[332] because of the historical and cultural ties between the Northern Sudanese and Egyptians. The modern border separating Egypt and Sudan cuts right through Nubia. Until the construction of the Aswan High Dam in 1971, there were many communities along the Nile close to this border on both sides. These people freely and frequently crossed back and forth. With the Aswan High Dam, came the creation of Lake Nubia (called Lake Nasser in Egypt). This lake flooded many villages along the Nile,[333] thus forcing the Nubians of Sudan to move further

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328 Going clockwise in direction, Southern Sudan borders Ethiopia, Kenya, Uganda, Zaire, and the Central African Republic.

329 The amount of Southern Sudanese in Egypt is actually not known because since they are not recognised as refugees, there are no accurate statistics. Just about everyone I spoke to who had some knowledge about the large Southern Sudanese community in Egypt, including Catherine at the American Embassy in Cairo, admitted that it was larger than the big Sudanese refugee communities in Uganda, Zaire, Ethiopia, and Kenya.

330 Ga-aro estimates there are 'only' 2.5 million Sudanese in Egypt, while the Egyptian government puts the figure at 5 million. The figures of 3 and 5 million used here represent the low and high end of the parameters told to me from everyone I met concerned with the issue in Egypt.

331 Egypt is home to most of the exiled Sudanese involved in political opposition to the current Sudanese government.

332 The term "Galeya" or "Galia" is frequently used to describe the Sudanese migrants who came to Egypt prior to Sudan's independence. It is also used to refer to Sudanese who are permanent residents in Egypt.

333 One of the these 'villages' happened to be the port town of Wadi Halfa. An entire new town had to be built.

south, and the Nubians of Egypt to head up north, especially to Aswan. The communication between Nubians on both sides of the border is no longer what it used to be.[334] As well, thousands of Khatmiyya, an Islamic Sudanese religious order traditionally allied with the Egyptians, fled to Egypt at the end of the eighteenth century in response to the harsh treatment inflicted upon them by the Mahdiyah. While it is true there are substantial cultural differences between an average Northern Sudanese "Arab" and an Egyptian "Arab" with regards to the physical and social environments they call "home",[335] Cairo continues to be the destination for countless Northern Sudanese, who have been known to spend years and even generations in Egypt, while still retaining their Sudanese nationality and identity.

The same cannot be said for the Southern Sudanese, most of whom are relative newcomers to Egypt,[336] who themselves have told me they would rather be in Kenya or Uganda if given the chance.[337] Southern -in general non-Islamicised and non-Arabised- Sudanese

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334 The information used here about Nubia came to me from numerous conversations with members of the Sudanese Nubian community.

335 Mekki Abbas contends that a claim to Egyptian and Northern Sudanese cultural unity can only be partially justified. While the vast majority of Northern Sudanese and Egyptians are Muslim, varying dialects of Arabic coupled with differing folk traditions, not to mention that communication between Egypt and much of Northern Sudan did not begin until the twentieth century, contradict claims to a uniform culture between the two peoples. see Mekki Abbas, *The Sudan Question: The Dispute over the Anglo-Egyptian Condominium, 1884-1951*, Faber and Faber Limited, London, 1952. p.13-14.

336 By "newcomers", I am referring to Sudanese who have come in the 1990's.

337 An interesting story of note is of a young man called James. He is from Southern Sudan and was a student in Cairo. In his opinion, life in Cairo was so awful that he preferred to pack up and leave for the semi-desert climate at Kakuma Refugee Camp. His relatives and friends all chipped in money to pay for the flight from Cairo to Nairobi. For him, although the resources at Kakuma were meagre, Kakuma provided a feeling of belonging. Now there are countless more Southern Sudanese in Cairo, but it was the social atmosphere at Kakuma that gave him a greater sense of comfort.

had been exported to Egypt for slavery in large numbers by the eighteenth century. Slavery continued throughout the nineteenth century, with many of the slaves recruited into the Turco-Egyptian army.[338] Since that period however, Southern Sudanese did not begin to arrive in big numbers again till 1988, with their numbers peaking in 1992.[339]

Since the coup of June 30, 1989, Sudanese have fled their country by the thousands.[340] If so many Sudanese (primarily Southern and also exiled Northern[341]) are now residing in Egypt without any source of income and completely separated from their extended families,[342] what "rights" and "freedoms" in Sudan do they feel are being denied to them? What are they better able to do in Egypt than Sudan? Is it being able to survive? Does the civil war or military government have anything to do with their change in residence?[343] Ga-aro states, "there is no single reason for their

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338 Janet J. Ewald, *Soldiers, Traders, and Slaves: State Formation and Economic Transformation in the Greater Nile Valley, 1700-1885*, The University of Wisconsin Press, Madison (WI), 1990. p.153-170.

339 Festus Ufulle Ga-aro, *Combined Survival Strategies: The Case of the Displaced Sudanese in Cairo*, M.Sc. Thesis, Oxford Brookes University, October 1995. p.38.

340 Minority Rights Group International, 1995. p.19.

341 Northern Sudanese who have strong political affiliations do get financial support from their political parties. I have met individuals who join or remain affiliated with a political party for the main purpose of receiving financial support in order to make ends meet.

342 Family is an extremely important element in the lives of the Sudanese; something which is very dear to them. It is characterised by Ellen Ismail as "a 'reservoir' for the Sudanese, which combines economic assistance, political influence, social support and psychological security." see Ellen Ismail, *Bukra, Insha'Allah: A Look Into Sudanese Culture*, Khartoum, 1985. p.53-54.

343 "Several thousand [Sudanese] could be considered to be in refugee-like circumstances because of war and persecution in Sudan."
"Egypt and UNHCR, however, did not recognise them as refugees."
"Many Sudanese were facing severe economic hardship in Egypt. Denial of full refugee status by Egypt and UNHCR meant that the Sudanese, though "of concern" to UNHCR, were not automatically eligible for humanitarian aid or resettlement."

flight, but it is believed that they (Sudanese) leave their country of origin because of the current political instability in the country".

The overwhelming majority of Sudanese in Egypt, who are not recognised by the Egyptian government as refugees, are given the status of 'second citizens'.[344] The documents used by the government of Egypt to support this designation are the Nile Valley (Waadi el Nil) Treaty, signed in 1978, and the Charter of Integration Between the Arab Republic of Egypt and the Democratic Republic of Sudan, signed at Khartoum on October 12th, 1982.[345] Both documents allow for Sudanese and Egyptians to freely travel and live in either country. The Sudanese in Egypt are theoretically entitled to all of the benefits as any Egyptian, and vice versa. For many of the Sudanese I met, particularly Southerners, this has been virtually ignored in practice. Countless stories have been told to me of discrimination in employment and education.[346] Sadly, the UNHCR

"Many Sudanese...wanted written acknowledgement of their refugee status and staged a three-day occupation of UNHCR offices in Cairo in October (1994) to protest their plight. UNHCR refused to document their status."
These four passages are taken from: U.S. Committee for Refugees, *World Refugee Survey: 1995*, International and Refugee Services of America, Washington DC., 1995. p.55.
The fourth passage is a rather incorrect interpretation of what took place during the protest. The protest was a peaceful sit-in demonstration by Southern Sudanese women and children. They had no weapons, so they could not possibly have occupied the UNHCR building. They were on UNHCR property, but outside of the building. In the middle of the second night, while many of the women and children were sleeping, Egyptian police brutally attacked the women and children, shoved them into vans, and brought them to Sakakini Catholic Church. Some women were seriously injured. Is this the price one must pay for simply being poor and Southern Sudanese?

344 The status of 'second citizens' is not an official status, but a term generally used to categorise Sudanese residing in Egypt.

345 The Charter of Integration is the only treaty between the Republic of Sudan and the Arab Republic of Egypt registered with the United Nations. I was told this by the woman who gave me the document from the Treaties Section of the United Nations library in New York City.

346 One example in particular mentioned by several interviewees, and highlighted by the Near East Foundation/Center For Development Studies, relates to the problems faced by Southern Sudanese schoolchildren. They state: "A majority of the southern children are looked at as outcasts by the Egyptian children in the schools, their tall stature and

and individual national governments respect the wishes of the Egyptian government to continue the recognition of the growing community of Sudanese refugees as 'second citizens'. This means that very few of the Sudanese receive any kind of support whatsoever,[347] and it also means that a Sudanese is not eligible to apply from Egypt to a third country as a refugee.[348] Many Sudanese have been told at various European embassies, the American embassy, and Australian embassy to go back to Sudan and apply for a visa from there -because Egypt is not their own country.[349] This is ridiculous; first because it contradicts the Charter of Integration and Nile Valley Treaty, and second because most of the ones applying for refugee status or an immigration visa to a third country would not be applying from Egypt if they could go back to Sudan or if they were receiving enough assistance to live sufficiently in Egypt.

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dark skin makes them stand out. The other children often make fun of them, causing them to be isolated and dislike school." see *A Needs Assessment On Economic Needs And Women's Health Of The Displaced Sudanese Community In Egypt*, Near East Foundation/Center For Development Studies, Cairo. 1996. p.10.

347 Southern Sudanese rely heavily on church affiliated organisations for help (food, clothes, etc...). Many are completely separated from their families to the extent that they have even lost contact. The number of Southern Sudanese in Cairo is already so overbearing that the churches can just afford to help but a small percentage of the neediest 'refugees'.

348 I had a meeting with Catherine at the American embassy in Egypt. She works in the immigration section and handles the applications for the Diversity Immigrant Visa Lottery Drawing. She is one of the few who are quite familiar with the situation of Sudanese in Egypt. Ten Sudanese were able to gain entry to the United States on an immigration visa while I was in Egypt. Although this was not done through the lottery, it was co-ordinated by Catherine. She told me that she was notified from Washington DC. to let in exactly ten. Why she was not permitted to allow more, she would not mention. She did confirm to me that the United States does not recognise any Sudanese in Egypt as a refugee. I must mention, though, that there are exceptions.

349 I have heard stories from many Sudanese, particularly Southerners, about their attempts and denials to leave Egypt. Most of the stories include episodes similar to that I have just mentioned in the text. Others include being repeatedly forced at embassies to stand at the end of queues to wait for Egyptians to be served first. This is just a tactic to frustrate the Sudanese, so they will eventually walk away before their turn comes up.

It is understandable, to a certain extent, that the Egyptian government is so cautious about allowing all Sudanese to be recognised as refugees. If all Sudanese were recognised as refugees, we would have the world's longest queue; a few million (refugees and non-refugees) would claim their right to some assistance from the UNHCR, whether in fact they needed it or not. This in no way, though, should prevent the neediest of Sudanese, who by the definitions of the United Nations and Organisation of African Unity are refugees, from receiving at least minimal subsistence.[350]

Another issue to consider rests on the importance of the Nile River. It is no secret that Egypt is having serious problems with the current Sudanese government, worsened considerably in the past couple of years. Egypt has generally maintained a low profile when it comes to the civil war in Sudan. As much as Egypt would like to see an end to the current Sudanese government, they will not eagerly support a Southern Sudanese movement calling for self-determination nor separation because they do not want another political entity exerting control over their main source of water.[351]

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[350] The United Nations defines a refugee as a person "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country;". see Article I of the United Nations Convention relating to the Status of Refugees (entered into force 22 April 1954) and Article I of the Protocol relating to the Status of Refugees (entered into force 4 October 1967). Both are located in: United Nations, *Human Rights: A Compilation of International Instruments, Volume 1 (Second Part), Universal Instruments*, Centre for Human Rights (Geneva), New York, 1993. p.634-654. The definition of a refugee is stated almost exactly the same in Article I of the Draft Convention on the Status of Refugees in Africa by the Organisation of African Unity. see Jon Woronoff, *Organising African Unity*, The Scarecrow Press, Inc., Metuchen (NJ), 1970. p.665-675

[351] The flow of water down the Nile is a constant worry for the Egyptians. Although most of the water comes from Ethiopia without going through Southern Sudan, the flow down the Blue Nile is seasonal; whereas, that of the White Nile is relatively steady all

True, the Egyptian government has openly supported major Sudanese opposition groups, such as the Democratic Unionist Party (DUP) and the SPLM;[352] but this does not mean the Egyptian government is exercising all of its powers to overthrow the Sudanese government. As much as Egypt is on bad terms with the Sudanese government, relations must exist to the extent that Egypt's water supply is never threatened.[353] It is a very delicate balance for Egypt to maintain. Before the civil war brought construction of the Jonglei Canal to a halt, the Egyptians had high hopes the canal would speed up and increase the water flow to Egypt. The point I am attempting to make here is that Egypt's political interests in Sudan, largely revolving around the flow of the Nile River and conditioned on maintaining a relationship with whatever Sudanese government is in power, foster the continued influx of Sudanese fleeing war and hardship in their homeland. Fearing a separation of Southern Sudan and partial loss of control (influence) over the flow of the Nile River should the Southern Sudanese 'rebels' emerge victorious, Egypt is continuing to take a 'wait and see' approach with Sudan's civil war.[354]

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year round. My main source of information regarding Southern Sudanese control of the Nile comes from a former Sudanese diplomat and member of the National Islamic Front.

352 Eric Hoagland, "Government and Politics", *Sudan: a country study*, Helen Chapin Metz (editor), Federal Research Division, Library of Congress, Washington DC., 1992. p.224.

353 Accusations have surfaced the past two years that the Sudanese government has threatened to bomb the Aswan High Dam, or build a dam of their own to specifically anger the Egyptians. At this point, I do not feel the threats are truly serious. Sudan would have too much to lose.

354 The Sudanese Catholic Information Office reported that "Egypt opposes an arms embargo on the Sudanese government because it would benefit secessionist rebels in southern Sudan". A senior Egyptian official, Mr. Osama al Baz (advisor to Egyptian President Hosni Mubarak), was quoted as saying: "In spite of our opposition to the policies of the Sudanese regime, we reject the imposition of an arms embargo on Sudan because such an embargo would deprive the government of arms but would not block the provision of arms to southern secessionists." see AFRICANEWS (Internet), *Sudanese*

Thousands upon thousands of Southern Sudanese are in Egypt because they were previously displaced in the northern part of their own country (particularly in camps or shanty towns outside of the capital -Khartoum). The war in the South frequently hits the people from behind thus forcing them north, as opposed to a retreat further south.[355] It is usually after the bad experiences a Southerner faces in Northern Sudan that influences him/her to come to Egypt. Historically, Kenya and Uganda were the two main destinations for Southerners seeking opportunities in education and employment.[356] From the beginning of the Anglo-Egyptian condominium, the British administration treated the South -at that time the South comprised the provinces of Equatoria, Upper Nile, and Bahr El Ghazal- as a separate region, intending to eventually incorporate it with the British East African colonies of Kenya, Uganda, and Tanganyika. The British did their best to keep away Arabic and Islamic -"Northern"- influence from the South. Simply put, Egypt is so far away from Southern Sudan -geographically and culturally- in comparison with its southern neighbours, that it really does not make sense for a

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Catholic Information Office (SCIO), Nairobi, January 15, 1997. (The SCIO received the above information from the MENA news agency.)

355 Besides being responsible for indiscriminately attacking the South by air, the government of Sudan has been known to send its forces into Southern Sudan via Zaire and the Central African Republic. This is related to the friendly relationship between France and Sudan, strengthened considerably since Sudan turned over the international terrorist, Carlos the Jackal, to French authorities in the summer of 1994. Sudan sought French help for influencing Zaire and the Central African Republic to use their territory. In fact, the Information Attaché at the Sudanese embassy in Washington DC., mentioned to me that France is the closest West European ally to Sudan.

356 "The separation of the administrative set-up and of the educational system, which envisaged the South more in the context of East Africa than in the national framework of the Sudan, meant that graduates from the southern intermediate schools went to Makerere College in Uganda for higher education and the economic future of the South was contemplated in joint planning with the East African countries." see Francis M. Deng, 1995. p.85-86.

Southern Sudanese to be in Egypt unless there was a good reason -family, employment, university, or dare I say fleeing war and persecution. I only met one Southern Sudanese who claimed he was not unhappy with life in Egypt.[357] To be fair, even with all of the problems, some Southern Sudanese did express gratitude that Egypt has at least let them stay in the country. For most, there is no better alternative.

The hardships faced by the exiled Sudanese living in Egypt is a topic I will now put aside. It was necessary though for me briefly to explain the situation in Egypt; first, because Egypt is where most of the interviews took place; and secondly, it added another critical dimension to the question of what "Human Rights" means for the Sudanese.

Kenya

Kakuma Refugee Camp in Kenya provided a drastically different experience. Life at the camp is much more stable for the Sudanese, as opposed to Egypt. One is not constantly being forced to move from place to place, nor is there begging from one organisation after another for support. Daily complaints come in to the United Nations compound from Sudanese community representatives regarding medicines, food rations, blankets, etc...; but at least at Kakuma there

[357] The one Southerner who told me he was not unhappy with his situation in Cairo was a member of the UMMA Party when we last spoke. Since that time he has gone back to Sudan to work for the current government of Sudan. Upon returning to Sudan, he made a very publicised statement on Sudanese television denouncing Sudanese political opposition.

is some sort of organisation amongst the Sudanese, and somebody who will listen to their complaints.[358]

At Kakuma, the Sudanese -overwhelmingly Southern- community have their own government.[359] One of its functions is the maintenance of law and order. If there are disputes or problems between members of the Kakuma Sudanese community, they will be resolved by the Sudanese themselves, using their preferred legal methods. Only when a problem is unresolvable, or involves refugees from other countries, does the Lutheran World Federation get involved.[360] The Lutheran World Federation manages the camp in co-operation with the United Nations (UNHCR).

The camp is divided into five "Zones", then further subdivided into smaller "groups" (see Map of Kakuma Refugee Camp at the beginning of the thesis). Zones One, Two, Three, and Four are completely Sudanese. Zone Five contains a mixture consisting mainly of Ethiopians, Ugandans, Zairians, and more Sudanese; but there are also small numbers of refugees from other countries such as Tanzania and Somalia. The "groups" are arranged along ethnic

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358 I can remember every morning passing by the offices of the Lutheran World Federation on the United Nations compound, and seeing the same woman complaining to the same people. She was the Health Co-ordinator of the Sudanese community. The point is that unlike in Egypt, where complaints are meaningless, communication between the Sudanese community representatives and the Lutheran World Federation at Kakuma is necessary for the camp to continue running. Communication must be encouraged, even if only in the form of complaints.

359 There are various Sudanese officials governing the Sudanese refugees at Kakuma. They include a Chief Representative, Vice Representative, Health Co-ordinator and Womens Co-ordinator. Because nobody knows when the Sudanese can return home (Sudan), it was decided that it is best to let them form their own community at the camp with their own community leaders and representatives. This promotes an atmosphere of stability and belonging. My information about Kakuma Refugee Camp comes primarily from discussions I had with employees of the Lutheran World Federation (LWF) at Kakuma.

360 There are refugees from Ethiopia, Uganda, Zaire, Tanzania, and other African nations at Kakuma.

divisions. For example, those living in group ten are all Taposa; those living in group thirty-one are all Dinka; and so on.

The Kenyan Turkana are the local residents of the area. Kakuma Refugee Camp is a place where the Turkana come to conduct business and socialise. The camp is also a frequent crossing for Turkana goat herders. Because of the daily contact between the Turkana and refugees, it is imperative that relations remain cordial. I had heard that in the past tit-for-tat raids between refugees and the Turkana had occurred; at their most extreme, resulting in a death. Recently though, relations were steadily improving. Turkana singers were invited to a Sudanese religious service while I was there, and leaders of the Turkana had recently given permission for Sudanese men to marry Turkana women.

If one were to do a walking tour of the camp starting from the United Nations compound, one would first enter the Sudanese Nuer community, which literally sits right beside the UN compound. Walking further ahead one enters the large Ethiopian community -the second largest group at Kakuma. The Ethiopians have made the most of their refugee experience. What I mean is that they have taken advantage of the financial opportunities available at Kakuma. With their own money and loans from the UNHCR, Ethiopians have opened up clothing stores, cafés, a movie theatre, film developing studio, restaurants, and hotels. By living on the refugee camp, they pay taxes to no one, and the goods they sell are cheaper than what the Kenyans in the nearest town can sell them for. Understandably, some Kenyans are angry they could be run out of business. The main thoroughfare running through the heart of the Ethiopian community

resembles a Broadway or Main Street. It is lively and cheerful, and hardly gives one the impression of being at a refugee camp.

Beyond Kakuma's business district, one passes through a small Sudanese cluster, followed by the Ugandan community. If one is lucky, which fortunately I was, you can hear the vibrant music played by the Kakuma Ugandan Jazz Band. This marks the end of Zone Five. From here on out, the camp is completely Southern Sudanese. I have failed to discuss the sizeable Zairian community, who are located in Zone Five, because they are confined to an area of the camp far off the beaten path. Most of my time with them, about one hour, was spent at a funeral for a man who died of AIDS. They are rather invisible at the camp because of their comparitively lower numbers.

Zones One, Two, Three, and Four run on Sudanese time -an hour behind Kenyan. As alluded to before, the Sudanese are largely in charge of their own affairs. They are putting much of their resources into self sufficiency -for example, growing their own foods, opening stores, and running schools.[361] The climate, very hot and dry by Southern Sudanese standards, does not easily facilitate food self sufficiency. In fact, a chief complaint from many Sudanese was the inhospitable climate. It is true that when the wind blows, the dust can kick up fiercely, thus forcing people to take shelter.

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361 I received a letter in November of 1996 from an acquaintance who has visited Kakuma Refugee Camp on numerous occasions. He told me that the conditions have worsened considerably since my visit in 1994. He mentioned that United Nations cutbacks on food allotments have contributed to an increasing number of cases of malnutrition. He ended his note saying: "Camp authorities seem unable to perceive the desolation around them."

Up to half of the forty thousand Sudanese are unaccompanied minors,[362] who have been torn away from their families as a result of civil war. The overwhelming majority of Sudanese refugees are male. The imbalance between the number of males and females sometimes results in fights over women. This is why I mentioned before that Sudanese men can now marry Turkana women. One legged men (and boys) were visibly numerous at the camp. Kakuma has a reputation of being a rest and relaxation spot for fighters in the Sudan Peoples Liberation Army.[363] To a certain extent, this was true while I was there. Many people I spoke to were members, or had relatives active in the SPLM/A.

As I mentioned earlier, the Sudanese Nuer community is in Zone Five. The one big division within the whole Sudanese community at the camp is between the overwhelming number of John Garang supporters and the small minority supporting Riek Machar. The situation is not like it once was when all hell broke loose at the camp as a result of the Bor Massacre in 1991, but tensions linger on.[364] The Riek Machar supporters, mostly Nuer, now live completely

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362 The figure for unaccompanied minors most often heard was eighteen thousand. The figure according to the Lutheran World Federation (LWF) for the total Sudanese population was roughly forty thousand. Many Sudanese claim there are up to sixty thousand. There have been problems getting an accurate head count of the refugees, so it is a distinct possibility that many Sudanese are living at the camp unaccounted for.

363 Accusations had surfaced that the SPLA was running a military training camp at Kakuma. This is really just an exaggeration for the camp being used as a place for injured soldiers to recoup. Without a doubt, the camp is strongly pro-SPLM/A and could very well be used to recruit new soldiers.

364 In November/December 1991, over five thousand (mostly Dinka) civilians were massacred by SPLA-Nasir (Riek Machar) forces at the village of Bor. More than two hundred thousand were forced to flee for their lives. When news of the massacre reached Kakuma Refugee Camp, pro-Garang supporters attacked the small number of pro-Machar supporters as an act of revenge. Ever since this incident, for safety concerns, the Machar supporters were moved completely to the other side of the camp. Refugees from all of the other nations provide a buffer zone between the two Sudanese groups.

separate from the other Sudanese, and thus represent themselves at the camp, apart from the majority of Sudanese.

In general, the feeling at the camp (for Sudanese) is one of boredom and anxiety. Nobody knows when they will be able to return back to Sudan. The one advantage for a Southern Sudanese living at the camp instead of Cairo is a sense of belonging. The camp has been at Kakuma for a few years now, so there is definitely some feeling of semi-permanence. The camp is becoming rather settled. This is important, for many refugees continue to arrive at the camp without families. They are the ones in most need of security.

United Kingdom

Before embarking on fieldwork in Africa, I got acquainted with the Sudanese community in the United Kingdom. I lived in London for a couple of months during the academic year 1993-1994 in order to specifically spend time with members of the displaced Sudanese community in the greater London metropolitan area. Their numbers are smaller than in Egypt or Kenya, but they have forged strong efforts at forming 'communities' throughout the United Kingdom.[365] One of the hardest aspects of living in the United Kingdom is its distance from Sudan -geographically and culturally. I am sure the feeling of being relatively detached from what is going on in their homeland has got to be distressful at times. Like their country folk in Egypt, Kenya and many other countries Sudanese have sought

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365 I am referring to "communities" in a very loose sense. Because the Sudanese are spread throughout the United Kingdom, there are no large Sudanese neighbourhoods in any of the cities; but they do have networks. It is these networks, regardless of distance, which I am using to mean "communities".

refuge, they must adapt to new conditions of living. Although material things are easily acquired, children can go to school, and medical needs are covered, the United Kingdom is an environment completely different from the one they left behind. This by itself can take years of adjustment; but because the situation in Sudan has not gotten any better in the last few years, many Sudanese have had no choice but to get used to life in the United Kingdom.

All three environments are radically different from each other -socially, politically, and climactically. In Egypt, the displaced Sudanese are 'second citizens'; in Kenya, the displaced Sudanese are refugees and live at a refugee camp; in the United Kingdom, the displaced Sudanese are refugees, but are left to fend for themselves and/or rely on friends and family. Each of the three 'foreign' environments undoubtedly has had some effect on the ideas of those externally displaced Sudanese since they left their homeland.[366] The longer they remain in 'foreign' environments, the greater the 'foreign' environment influences or shapes their ideas by forcing them to live a life different from the one they left behind.

The three settings presented here add another layer to the picture of diversity I am trying to paint. The mindset of the displaced Sudanese is not only shaped by the region and social group in Sudan from which they came, but also by where they have temporarily, and in some cases permanently, settled.

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366 I use the term "displaced Sudanese" to refer to all those Sudanese who were forced out of Sudan due to problems in the country. The term "displaced Sudanese" is inclusive of 'unrecognised' "refugees" as well as 'recognised' "refugees".

V

Discussing "Human Rights"

Introduction

This section of the thesis will attempt an examination of the way externally displaced Sudanese in Egypt, Kenya, and the United Kingdom discussed the topic of "Human Rights". I am particularly interested in highlighting the contexts from which the interviewees spoke with me. These contexts are based from the interviewees personal experiences in Sudan and as displaced Sudanese in the above mentioned countries as a result of the political situation in their native country.

This chapter is broken down into four sections and will be presented as follows:

1) Brief descriptions of all the interviewees who took part in interviews which were audio tape recorded. Thirty-three interviews were recorded in total.

2) A look at how the interviews were conducted; and an analysis of the relationship between the interviewees and myself, and how this relationship affected the resulting interviews.

3) A selection of interview excerpts with commentary. Interview excerpts -from nineteen recorded interviews- are presented in numbered order. The numbers, 1-19, will be used alongside the names of interviewees throughout the rest of the thesis to refer to specific interviews.

4) An examination of how, and under what conditions, the topic of "Human Rights" was discussed by the displaced Sudanese interviewed during my fieldwork. Special attention will be paid to the "vehicles" -particular topics or issues- employed by the interviewees in their conversations with me. The analysis in this section will rely heavily on the spoken words of the interviewees. Not all of the discussion will come from the interview excerpts in the previous section, meaning that some excerpts will come from interviews which are not numbered.

Part I: Interviewee Profiles

A little knowledge on the background of the interviewees is necessary for a fuller understanding of the way in which they discussed "Human Rights" with me. The amount of interviewee personal description varies from one interviewee to the next. This is largely due to the fact that some interviewees were simply more comfortable than others about revealing their personal backgrounds. Other reasons include how acquainted I had been with interviewees prior to interviewing and how eventful their lives had been -for example, having fought in the civil war or having held high political positions. A note of importance is that the names of the interviewees have all been changed in order to respect their privacy and protect their identity.

United Kingdom (May 1994)

The first few interviews, all videotaped, were conducted in the spring of 1994, during my first year of post-graduate studies at the University of Saint Andrews. Throughout the year, I visited London as frequently as possible, in an effort to familiarise myself with London's Sudanese community and to learn more about the country (Sudan) where I was hoping to spend a year conducting fieldwork. The British Sudanese gave me my first African fieldwork connections, and gave me an opportunity to get a head start with interviewing; in a sense, early fieldwork. A good friend of mine, Sharif, arranged interviews for me with Sudanese who were not averse to having themselves filmed while discussing what could be sensitive information.[367] I thought the opportunity to videotape was a good idea, for it enabled me to study myself. Looking at my weaknesses and strengths as an interviewer, videotaping provided very practical preparation for future fieldwork in Africa.

Mabrouk (Oxford: 20 May 1994)

Mabrouk (in his mid-fifties) and I came face to face for the first time when I visited his home in Oxford where he has been living the past few years with his wife and children. Previous to our meeting, all I knew of him was that he had been detained by the government of Sudan and reportedly was subjected to extreme torture in detainment. Mabrouk, a civil engineer by trade, is currently a matriculated student at a local university.

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[367] "Human Rights", in general, was a sensitive topic for some of the interviewees; but the sensitivity level was greatly magnified when the interviewee was a well known victim of torture. By "well known", I am referring to those active in the political opposition who are not afraid to stick out their necks.

Mubarak and Friend (Cambridge: 22 May 1994)

Mubarak, roughly forty years old and originally from Khartoum, is a lawyer by profession. When we met for the interview at his flat in Cambridge, he was living with a Sudanese woman. He had been a "Human Rights" activist in Sudan and a member of the Sudanese Communist Party, for which he was imprisoned and tortured under the present Sudanese government. Mubarak now spends much of his time participating in organisations promoting "Human Rights".

His friend, whose name I never got, arrived near the end of the interview. Since Mubarak and I were engaged in intense conversation when he arrived, there were no pauses for formal greetings. He just sat down and joined in the discussion.

Hassan (London: 23 May 1994)

Hassan, in his forties, is a lawyer by profession. He has been living in London with his wife and one daughter since 1992. He had been a member of the Sudanese Bar Association prior to it being banned by the government of Omar al-Bashir soon after coming to power in 1989. After months in detention -including some time in the infamous "Ghost House"- where he underwent severe torture, he left with his family for the United Kingdom. His main occupation now is campaigning with other exiled Sudanese for those who have suffered torture at the hands of the current Sudanese government.

Mustapha (London: 23 May 1994)

Mustapha, a former journalist with the Sudan News Agency, has been living in London since 1992. He, in his middle thirties, spent nearly four months in detention following the military coup in 1989. Mustapha used practically the entire interview in describing

to me in minute detail his period in detention -including the torture (both physical and psychological) he received in the "Ghost House". He had been beaten on his back so severely that he has extensive permanent damage. Mustapha is now employed at an embassy in London.

Egypt (26 September 1994 - 23 October and 26 November - 10 January 1995)

As mentioned earlier in the thesis, I arrived in Egypt on 26 September 1994. It took me a few days to get settled in Cairo before making connections with members of the Cairo Sudanese community. On 2 October, I met with Ahmed Muhammad Mahmoud, a representative of the Sudan Human Rights Organisation (SHRO). One of the people he suggested I meet was Hosni Jabar of the UMMA Party. The following day I met with Hosni to tell him what my research was about and that I came to him specifically for guidance in meeting a wide variety of Sudanese who are newcomers to Egypt from Sudan. He arranged for a friend of his, Kareem, to help me with my research. I was a bit cautious about my research potentially being dominated by interviewees supporting the UMMA Party, but Kareem, a man with a tremendous amount of patience, understood what I was seeking to do and made every effort at helping me establish contacts with Sudanese of all political persuasions. This is not to say I only spoke with Sudanese who supported a particular Sudanese political party; but that all of the interviewees had strong political viewpoints. No interviewee (and no interview) was apolitical.

Abdel (Cairo: 4 October 1994)

Abdel is a member of the UMMA Party and comes from Nyala in Darfur. He graduated from the University of Cairo in 1989 and is now about thirty years old. Since graduation he has remained in Cairo, claiming he cannot return to Sudan because his name is on a Sudanese government blacklist for his oppositional political activities. He spoke very proudly to me of his people, the Daju. In fact, he brought a book to our interview on Daju history and explained that because the Daju created the first Islamic kingdom in Darfur, they should be regarded as high, if not higher than the larger tribes in Darfur, such as the Fur and Zaghawa.

Muhammad (Heliopolis: 4 October 1994)

Muhammad, roughly forty years of age and originally from Merowe, has been living in Egypt since the end of 1991. He currently resides in Heliopolis with his wife and children. Muhammad, a journalist by profession, was influenced by Sadiq al-Mahdi (leader of the UMMA Party) in the early 1980's to join the UMMA Party while they were in prison together during the Nimeiri administration. Under the present Sudanese government, Muhammad was placed in a "ghost house" and tortured, before being sent to Kober prison; all for his political beliefs. He bears the scars on his back as proof of the vicious treatment he received in the "ghost house". In total, Muhammad was detained for twenty three months.

Naomi (Madinet Nasr: 5 October 1994)

Naomi is a divorced middle aged woman who has lived alone in Madinet Nasr, a suburb of Cairo, since 1991. She is originally from the Nuba Mountains. Because her father is an Arab Muslim, she was

raised in the Islamic faith. She obtained a degree in Anthropology from the University of Khartoum, and is currently active in the political opposition and in promoting awareness to the "Human Rights" situation in the Nuba Mountains. She remains independent, though, of any political party. Naomi claimed her twenty-eight acres of land in the Nuba Mountains were taken from her by the current government of Sudan.[368]

Malik (Madinet Nasr: 5 October 1994)

Malik -about fifty years of age- left Sudan in early 1991 in response to the new government which came into power as result of the military coup. He had held a post in the Sudanese Ministry of the Interior. Malik went to live briefly with relatives in Mecca before coming to Egypt with his family in 1991.

Malik was born and raised in Omdurman in the Islamic Sufi tradition. He has a Ph.D. in political sociology and has been active in the promotion of "Human Rights" for over ten years now. In Egypt, his main occupation is working in the political opposition and campaigning for those who have suffered "Human Rights" abuses under the current government of Sudan.

David (Madinet Nasr: 5 October 1994)

David, born in 1948, is from the Nuba Mountains. Throughout the 1970's, he worked as a teacher and was a member of the People's Assembly. In 1983, he opposed Nimeiri's introduction of the *Sharia* ; and in turn, became a representative of the Christians in the People's Assembly. He was briefly jailed in 1984, and since 1985,

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368 In fact, she showed me the deed for the property. I believe Naomi meant *feddans* instead of acres, for *feddans* is used in Egypt and Sudan to measure area. One *feddan* is equal to 1.038 acres.

has been involved in the SPLM/A. On being a Nuba, he stressed that he is a representative of the indigenous people of Sudan.

He works from his apartment in Madinet Nasr, where he has lived with other members of the SPLM/A since 1994. David had mentioned he was expecting to return shortly to the battle front in Southern Sudan.

Martha (Cairo: 8 October 1994)

Martha, about forty five years old, is originally from Juba; but as a result of the fighting in Southern Sudan, she was forced to flee to Uganda as a young girl. She stayed in Uganda for a few years where she completed her "O" level and "A" level examinations. She later returned to Sudan and found employment in social work, but due to the intolerable living conditions in Juba caused by the civil war, she was forced to leave again. Martha next went to Khartoum, before coming up to Cairo where she has been living with one of her children since the middle of 1992.[369] She is active in various Sudanese women's organisations and has participated in international conferences campaigning for the recognition of women's roles in achieving peace in those countries where there is war.

Martha spoke much about and was very informative on the situation of Southern Sudanese in Cairo; but she gave me some very negative images regarding the treatment of Southern Sudanese by the Egyptians. Most telling was when she remarked that Southern Sudanese children are beaten and spat on by Egyptian children.

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[369] One of her daughters was studying medicine at the University of Juba in Khartoum at the time of our meeting. In addition to living with her other child, she supports and takes care of two others.

Abdul (Cairo: 8 October 1994)

Abdul was the first Sudanese in Egypt I had the chance to become acquainted with before interviewing. He is in his late twenties, from Kassala, and a supporter of the UMMA Party. He came to Cairo from Sudan in 1989 for what he described as political reasons. Abdul is studying law at Al Azhar University. For me, this was a great opportunity to learn at first hand how *Sharia* (Islamic Law) is being taught today at one of the world's leading Islamic universities, and to understand how his interpretation of *Sharia* compares with his and my interpretation of International Law.

Ghaali (Hadayek El Zeitoun, Cairo: 9 October 1994)

Ghaali was one of approximately a dozen young men in their twenties sharing a flat together in the Hadayek El Zeitoun section of Cairo. He is a part-time law student at the University of Cairo. Like many Southern Sudanese students in Egypt, his university grant was terminated by the current Sudanese administration. Because the civil war has ravaged through his home district of Upper Nile, he has chosen to remain in Egypt where he has been for the last four years. Ghaali survives in Egypt on a small allowance from a Christian church charity, which helps pay for his university tuition and daily living expenses.

Although Ghaali did practically all of the talking at our meeting, we were joined by three of his friends. All four are strong supporters of Riek Machar and firm believers that the best solution for ending the civil war is the creation of a politically independent Southern Sudanese state.

Saul (Cairo: 10 October 1994)

I met Saul by chance at the UMMA Party office. We got into a conversation about my research while both waiting to meet with other people. It was actually his suggestion that I interview him then and there.

Saul, originally from Abyei in Western Kordofan, comes from a large family. He has over two hundred brothers and one hundred sisters;[370] some of whom are Muslims, while the rest are Christians. Saul is a Ngok Dinka. The Ngok Dinka "inhabit a border region between Northern and Southern Sudan".[371] This area is politically in Northern Sudan; though most Ngok, including Saul, consider themselves, in political and cultural terms enhanced by Sudan's civil war, to be Southern Sudanese.

Though Saul, about forty years old, speaks fluent English, he was not able to attend university because he was forced to work after high school to help support his family. Saul left Sudan in 1989 for employment in Saudi Arabia. When his job in Saudi Arabia ended, he was unable to return to Sudan citing "political" reasons. He stressed that his "political" reasons lie more with the uncomfortable living conditions in Sudan resulting from the policies of the current Sudanese government rather than his activities in the political opposition.

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370 All of the siblings had the same father, but I do not know how many wives the father had.

371 Francis Deng, *War of Visions: Conflict of Identities in the Sudan*, The Brookings Institution, Washington DC., 1995. p.243.

Tayib (Cairo: 11 October 1994)

Tayib, roughly forty years of age, is originally from Darfur. He received a Ph.D. in London in the early 1980's, then went to work for the World Bank. Tayib subsequently held a high political position in the Sadiq al-Mahdi administration which was terminated by the military coup of 1989. He was then thrown into prison for forty eight days and later placed under house arrest. Tayib left Sudan in 1990 for Cairo where he has been living with his wife and children ever since. He is an active and high ranking member in the political opposition.

Sara and Ibrahim (Madinet Nasr: 11 October 1994)

Sara, originally from Omdurman, is a journalist. She lost her job in 1989 as a result of the military coup. Her husband, Ibrahim, had been working for an American firm that pulled out of Sudan soon after the coup. Desperately searching for work, Ibrahim landed a job in the United Arab Emirates. Due to the government of Sudan's neutral stance during the Gulf War, they were forced to return to Sudan. In May 1991, they moved to Egypt where they have remained till this day. Sara is now writing for a Sudanese political opposition newspaper in Cairo.

Paul (Cairo: 12 October 1994)

Paul, in his late forties, is originally from Torit. He first left Sudan for Uganda in the 1960's because of the civil war. There, he completed his "A" levels and studied for a year at Makerere University in Kampala. He returned briefly to Sudan in 1973 before embarking for Egypt to study animal husbandry at the University of Cairo. In 1978 he took on a post in the Sudanese Ministry of

Agriculture. Paul left the Ministry in 1986 to run for political office, and became a member of the Sudanese People's Assembly representing his home district as a member of the Southern Sudan Political Association. His position ended with the coup in 1989. Subsequently, he was forced by the new Sudanese military government to remain in the Three Towns for the next three years -for "security reasons". By 1992, he was completely fed up; so he bribed his way to Egypt. His wife and four children unfortunately remain in Sudan. He told me life was difficult for him and other Sudanese in Egypt because of Egypt's policy not to recognise them as refugees, thus automatically disqualifying many of them from receiving assistance from the UNHCR.

Amir (Cairo: 12 October 1994)

Amir, an officer in the SPLM, is originally from Wad Medani. He graduated from the University of Cairo (Khartoum Branch) in 1986 and immediately joined the ranks of the SPLM/A. Amir was only visiting Cairo when we met and was soon to be returning back to the war front in Southern Sudan. I remember our meeting vividly for he was much more open in expressing his personal thoughts than other officers I had met from the SPLM/A .

Rakiya (Cairo: 13 October 1994)

Rakiya, a member of the UMMA Party, is a former Sudanese government minister who lost her position as result of the 1989 coup. She was born in Khartoum in the late 1940's. Her childhood years were split between El Obeid and Khartoum. She graduated from the University of Khartoum with a degree in History and Arabic.

Subsequent to losing her government post, she was thrown into prison for two months. After her release, she taught at various private universities in Sudan before moving to Cairo in October 1992. It took her seven months to obtain an exit visa from Sudan. This, coupled with almost daily harassment (for example, invasion of privacy or stalking) for three years, are the main reasons she remains in Egypt. She is afraid that if she returns to Sudan, the harassment will recur and she might be prevented from leaving. Much to her distress, her family remains in Sudan. Besides working in the Sudanese political opposition, she occupies her time by taking university level courses. She also has recently attended some international political conferences, including the World Conference on Human Rights in Vienna (1993) and Pan-African Congress in Kampala (1994).

Daniel (Cairo: 13 October 1994)

Daniel, originally from Rumbek, moved to Khartoum when he was six years old. He returned to Rumbek after finishing primary school. Later, he attended the University of Juba; but due to the security situation, was forced to move to Egypt in 1987 where he resumed his studies. Daniel last visited Sudan in 1989. He has one brother in the United Kingdom, but the rest of his family remains in Sudan. In fact, he is completely cut off from any contact with his parents in Southern Sudan due to the civil war. Daniel, approaching thirty years of age, remains unemployed, but keeps busy with volunteer work in support of the SPLM/A.

Albert (Cairo: 13 October 1994)

Albert is very active in the promotion of Southern Sudan's opposition political parties. He, now in his forties, is originally from Bor, but moved as a child to Malakal, then Rumbek, and finally Khartoum where he completed secondary school and attended the University of Khartoum, receiving a degree in English. He became a civil servant before moving to Cairo in 1990 with his wife and children. His father died in 1971 as a result of the civil war; some of his uncles have been killed in intertribal fighting within the SPLM/A ranks; but the worst tragedy for him has been not seeing his mother in over ten years. His present full-time occupation is working in support of the Southern Sudanese political parties he represents.

Muammar (Cairo: 16 October 1994)

Muammar, about fifty years old, is originally from Kassala. He studied economics in Saudi Arabia, after which he became involved in trade in both Sudan and Saudi Arabia, before becoming a member of the Sudanese People's Assembly in 1986. His position in the People's Assembly was terminated the day of the coup; after which he was thrown into prison for two months. The following six months he was forced to remain in Kassala for "security reasons". Subsequent to being allowed to attend a few government conferences, the Sudanese government offered him a new governmental position. He flatly refused, and was later elected to represent the Rashaidah by fellow members of the tribe; but soon after, he was arrested and beaten in detention. Injuries incurred from the beatings resulted in him having two operations in Cairo.

Muammar, who has been living in Cairo with his wife and children since 1993, now spends most of his time working in the Sudanese political opposition.

Magid (4.5 Kilometres: 18 October 1994)

Magid is from Khartoum, but came up to Egypt in 1988 hoping to attend university. He has not been able to do so because of a lack of funds, so has been supporting himself for the past six years by working in construction, on farms, and as a waiter at a *qàhwah*. He says he would like to return back to Khartoum, but because of the political situation in Sudan, he chooses to remain in Egypt. Most of his family is back in Sudan, with one of his brothers working for the present administration.

Nyot (Cairo: 19 October 1994)

Nyot, in his late twenties, is originally from Bor. He has lived in Cairo for the past few years, but his family remains in Sudan. Though he is a doctor of veterinary medicine by profession, he remains jobless in Egypt. No Southern Sudanese spoke stronger of Northern Sudanese political hegemony than Nyot. To him, the UMMA Party, Democratic Unionist Party (DUP), and National Islamic Front (NIF) were very similar in their ideology to Islamicise and Arabise the whole of Sudan; the only difference being that the NIF is the most radical of the three in its approach. Nyot contends that Sudan is composed of two nations -one Arab and one African. To him, the discrimination against Africans by the Arabs is akin to the old *apartheid* system in South Africa. While he acknowledged that Southern Sudanese disunity has hurt the collective armed Southern movement; Nyot strongly supports an active role to be played by the

United Nations, United States, United Kingdom, France, and others in ending Northern Sudanese political and cultural domination.

Kamal (Cairo: 23 October 1994)

Kamal had been living in Cairo for the past few years with his wife and children. At the time of the interview he was an active member of the UMMA Party. A few days after the interview, he left Egypt with his family and returned to Sudan. There, he joined the government and went on Sudanese television to denounce the political opposition.

Isa (Cairo :1 December 1994)

Isa, at forty-four years of age, has been living in Cairo for the past four years. He actually came to Egypt from Yugoslavia via Greece while representing Sudan in an international chess competition in Novi Sad. He now lives alone in Cairo on support from the UNHCR, making him one of the comparatively few Sudanese recognised as refugees in Egypt. His ex-wife and son live in Germany, while the rest of his family remains in Sudan; mostly in Omdurman.

Isa is an active member of the UMMA Party, but also a practising physiotherapist. Under the present government in Sudan, Isa had been jailed without trial, and later placed under house arrest. It was by begging the Minister of Sport which allowed his name to be removed from the "Blacklist", thereby permitting him to leave Sudan for the chess competition in Novi Sad.

Antonio, Manut, and Friends (Abbasiya, Cairo: 2 December 1994)

Antonio is a law student at the University of Cairo. I had not met him before the interview, nor had I known I would meet him. His

good friend, Manut, who I had met the week before, had invited me to his home for a discussion. When I arrived I was introduced to about a half a dozen people, including Antonio and a friend called Jimmy, who later gave me a long testimony on his tortuous ordeal in a psychiatric clinic.

Manut is a former employee of the Sudan Railways Corporation. Both, he and Antonio, are roughly forty years old. Manut is married with five children, and has been living in Cairo since 1993. He spends much of his time now writing poetry and translating literature from Dinka into English.

Farouk (Cairo: 9 December 1994)

Farouk has been in exile in Egypt since 1991. He previously worked as a diplomat in the Sudanese foreign service, and prior to his defection, was a member of the National Islamic Front (NIF). His family remains in Sudan, so he lives in Cairo with friends. Farouk maintains a very low profile in Egypt.

Margaret, Moses, Carlos, Margaret's Mother, and Friends

(Kobri Kobba, Cairo: 9 December 1994)

Moses and Margaret are husband and wife, while Carlos is a close relative. Margaret first came to Cairo in 1991 for studies at the American University in Cairo. Her husband joined her in 1992, the same year Carlos moved up to Egypt. At the time of the interview, Margaret's mother was visiting from Khartoum where she and her husband both live and work. The friends who participated in the discussion were actually a mixture of several friends and relatives. All were from the administrative district of Upper Nile and strong supporters of the particular Southern Sudanese

opposition movement led by Dr. Lam Akol. This interview was rather special in that it allowed me to meet at one setting interviewees ranging in age from the mid-twenties to about fifty.

Abu Salih (Madinet Nasr: 11 December 1994)

Abu Salih, in his forties, is originally from Nyala. He is a doctor of veterinary medicine by profession and has lived in Egypt with his wife and children for the past few years. He came specifically to participate in the activities of Sudan's political opposition (National Democratic Alliance), but feels that much of the opposition is too disorganised and largely ineffective because it lacks a definite program of action. Of the individual groups within the National Democratic Alliance (NDA), he says only John Garang's SPLM has its objectives clearly spelled out. Because he thinks the opposition is not really active, and therefore not something worth spending too much time on, Abu Salih went back to school as a means of using his time more wisely. He is studying for a Ph.D. in Constitutional Law at the University of Cairo, and hopes his research can be of help to the future construction of a new Sudanese constitution.

Zeinab (Heliopolis: 18 December 1994)

Zeinab is originally from Khartoum and has been living in Egypt since 1990. She resides with her husband and two adult children. Zeinab is an active participant in various Sudanese women's organisations in Egypt. Prior to her migration down the Nile, she and her husband were imprisoned for their 'leftist' political affiliations. Egypt is one of several countries they have lived, out of fear of

returning to Sudan as a result of the political circumstances in their homeland.

Kenya (24 October - 25 November 1994)

As mentioned earlier in the thesis, I spent the first two weeks in Kenya begging every non-governmental organisation (NGO) and private voluntary organisation (PVO) I could get a hold of in an attempt at getting into Sudan, or at the very least, going to a refugee camp. Just as it became clear that going into Sudan was nearing the impossible, the Lutheran World Federation (LWF) offered to take me to Kakuma Refugee Camp in the north-west corner of Kenya. I flew out of Nairobi on 3 November 1994. The scheduled return date was set for 8 November; so this left me with little time to actually spend with the refugees.

At Kakuma, I was forced to spend the nights in the United Nations compound, separated by armed guards and barbed wire fencing from the actual refugee camp. I am sure this is simply United Nations regulations for visitors. In general, foreigners (non-refugees), whether visiting or working, do not spend much time with the refugees. One of the chief complaints to me from the refugees was in fact just that. This refers specifically to the UNHCR and associated (NGO and PVO) staff getting to know the refugees, and their daily needs and problems.[372] The exception, as described

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[372] Many refugees complained to me that nobody listens to them, and nobody makes an effort to talk with them about life in the camp. Almost each refugee I spoke with complained bitterly towards the top UNHCR official running the camp. One funny story I heard from a refugee was about his complaints that the UNHCR was only giving out one blanket per two people, and thus the UNHCR was promoting homosexual behaviour because blankets would have to be shared.

earlier, is that refugee community leaders, speaking on behalf of those who have little or no voice, can and do air their comments and complaints to those of the UNHCR and LWF in charge of running the camp. Out of all the workers (paid and volunteer) stationed at Kakuma Refugee Camp, only an Irish priest lives actually inside the camp -outside of the United Nations compound- with the refugees. Life in the United Nations compound is drastically different from life amongst the refugees; literally worlds apart.[373]

Also, as previously mentioned, I was introduced to many refugees at Kakuma by the Head Sudanese Representative, Richard Deng. Through him and his assistant, Joseph, I was given directions and the exact times at which to meet with members of the Sudanese community. I realise the interviewees at Kakuma were largely decided upon by Richard Deng, but I had no choice but to go through him. First of all, it was important to receive Richard Deng's permission to conduct research amongst the people he represents. Secondly, because of his position, he offered me interviews with members of Sudanese ethnic groups I had previously yet to meet. I literally only had four days to conduct research at the camp,[374] and I believe through Richard Deng, I made the best use of the limited time.

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[373] Besides life being different on both sides of the UN compound/refugee camp fence, there is segregation on the compound between junior staff and senior staff. The quarters for the junior staff (for example, cooks, cleaning staff, etc...) is almost on par with that of the refugees. It is collectively known as "Little Soweto".

[374] I had four full days to conduct research. I am not counting the days of my arrival and departure because on both, I was only at Kakuma for a couple of hours.

John and the Guest (Kakuma: 4 November 1994)

John, in his mid twenties, has been living at Kakuma Refugee Camp since 18 December 1992. John is originally from Kapoeta, but made his way to Kakuma from Juba, where he was attending secondary school. The civil war prevented him from going back home and forced him to take a detour into Kenya. Although he never mentioned anything about fighting in the Sudanese civil war, I am suspicious his facial scars and speech impediment are in some way related to the armed conflict.[375] He told me more than once that life at the camp is a constant bore, as he just lives day to day passing the time away; constantly hoping for an end to the violence in Southern Sudan which would then allow him to return home and reunite with his family.

I was never introduced to John's guest, although he participated throughout much of the conversation. While John is a very passive, soft spoken man; his guest had a more assertive nature. This is why he frequently answered questions which were directed at John. I use the word 'guest' because he left the scene before the interview was over, and I was neither able to catch his name nor find out any other personal information.

Robert and Company (Kakuma: 5 November 1994)

Robert lives at Kakuma Refugee camp with his wife and baby son. The "Company" consisted of seven young men. Romeo and "Company" are all in their twenties and from the Kapoeta area.

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375 I cannot say for sure that John took part in any fighting, but it would not surprise me that he neglected to tell me his exploits in the SPLA. I am suspicious about his facial injury simply because of the strong connections between the refugees at Kakuma and the SPLM/A. Another interviewee, Abigail, did not tell me about her involvement with the SPLM. I found out her role in the movement by chance a month after our meeting.

About half of them have had fighting experience in the SPLA, and I believe some may have gone back to Sudan to return to the battlefront. All were relative newcomers to the refugee camp.

Abigail (Kakuma: 7 November 1994)

Abigail, the Women's Co-ordinator, has been living at Kakuma with her children for the past year. Her husband was away fighting with the SPLA in the civil war when I had met with her. As Women's Co-ordinator, she represents the Sudanese (except Nuer) women in the Sudanese Kakuma government. Her tasks include helping women who have been psychologically and physically abused, making sure adequate food rations have been distributed, helping single mothers raise their children, and giving the women a greater voice in the overall governing of the Sudanese community at Kakuma.

From the names I have given to the interviewees, it is obvious that the overwhelming majority of them were men. This is so for the simple reason that most of my initial fieldwork contacts were men; and that more times than not, the interviewees they put me in touch with were, as well, men. Early on in my fieldwork, I paid little attention to the sex ratio of the interviewees; more or less letting things take their natural course. Later on, however, I let it be known to some of my contacts that I was interested in interviewing more women. I was interested in interviewing more women not so much in an attempt at equalising the sex ratio, but because I was concerned with what displaced Sudanese women had to say on "Human Rights".

The intent of the interviewee descriptions was simply to become acquainted with the characters who are central to my study on "Human Rights" discourse(s). Over the course of my fieldwork I interviewed well over one-hundred displaced Sudanese; but I have chosen primarily to confine my thesis to only those whom with I have conducted audio-taped interviews.

Part II: A Breakdown Of The Interview Approach

Before conducting every interview, I made sure to notify the Sudanese interviewees of my American nationality, that I am a student of Social Anthropology at the University of Saint Andrews, and interested in understanding Sudanese cultures and what "Human Rights" means to him/her (or them) based from his/her particular cultural background. If I forgot to mention any of these details, I was asked by them to explain exactly who I was and exactly what it was that I was looking for within five minutes. I brought along with me more than one-hundred r ésumés to give to the Sudanese I interviewed and any Sudanese who was the least bit curious about me and my interests in Sudan. This proved to be a very popular move, and was a quick way to gain a bit of confidence from the people I was interested in socialising with, especially if we were meeting for the first time. Gaining the trust of one's interviewees is critical for conducting productive fieldwork. This was particularly true in my case due to the topic of the research as I will show.

In reference to the Sudanese people interviewed, I use the term "interviewee", not "informant". An "informant", as defined in

the *Collins Cobuild English Language Dictionary*, is "someone who can provide another person, for example a researcher, with useful information about something".[376] The keyword here is useful. What is useful information for me, the researcher, is not necessarily useful information in the eyes of the interviewees. While I may think of someone as a provider of useful information, there is nothing to prevent that person from thinking of their role as something completely different -for example, providing me with information which is of no use. The term "interviewee", on the other hand, simply refers to a person being interviewed by an interviewer. An "interview" as defined in the *Collins Cobuild Dictionary* is "a meeting at which someone (interviewer) asks you (interviewee) questions about yourself".[377] There is no definite value attached to this definition of the word "interview" (or interviewee). Information shared throughout an interview could be good or bad, little or much, useful or not useful.

Language Barriers?

Interviews were primarily conducted in English and Arabic. I almost always asked the questions in English, but the interviewees answered in Arabic and/or English, according to their choice. If the interviewee felt comfortable to converse in English, then that is what we did. Sometimes interviewees understood English, but preferred to answer in Arabic. Every time I was in a situation where the interviewee spoke Arabic and could not understand any English, I

376 John Sinclair (editor in chief), *Collins Cobuild English Language Dictionary*, Harper Collins Publishers, Glasgow, 1993. p.748.
377 Ibid. p.765.

was accompanied by Kareem or Hussein. Both of them are Sudanese and well versed in both English and Arabic.[378] For times when the interviewees were neither speakers of Arabic nor English, I had no choice but to use the services of an interpreter; but in each of these cases, the interpreter was also one of the interviewees. For example, at Kakuma Refugee Camp, I was meeting with several (roughly eight) Southern Sudanese from the administrative district of Eastern Equatoria. Only one of them spoke English and none of them spoke Arabic. I had to rely on the translation of one Taposa. In cases when one spoke or translated for all, the unavoidable consequence was that the voice of the one speaking or translating disproportionately carried the most weight.

A small problem encountered when learning about the cultures of a wide variety of people -in this case Sudanese- at the same time, is the diversity of languages. Since I am not focusing on one particular group in Sudan, I feel confident that English, limited Arabic, and translators served my needs well. My research was not concerned with absorbing myself into one Sudanese culture; but rather the opposite, trying to understand aspects of the many Sudanese cultures. Most of the Sudanese I met accommodated the native language differences with surprising ease. Many voluntarily spoke to me using whatever English they were capable of employing, and insisted upon making the effort themselves. In certain

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[378] Kareem actually accompanied me to quite a few interviews, many times just to help get me to where the actual interview was taking place. He did not help me as much with translation as he did with making connections with the Sudanese community in the Cairo area. Hussein, on the other hand, has worked as a translator and has a university degree in English. We became friends, so I felt most comfortable with him accompanying me to interviews when a translator was necessary.

instances it felt like a real honour that they were going through such trouble to communicate with me in a manner that was most comfortable for me, rather than forcing me to take the responsibility of making them feel comfortable. This, I believe, comes with the remarkable and gracious style of Sudanese hospitality.[379]

Playing The "Game"

I made every effort not to conduct interviews as formal question and answer sessions. As a result, and only at the interviewee's request, just a couple of interviews resembled oral questionnaires.[380] Most of the interviewees preferred to answer my questions in a more conversational style format. In this way, and in favour of something more like a discussion, many times it did not seem as if an interview was being conducted at all. I always entered the interviews knowing what topics I wanted to cover, but left it to the interviewees to decide how and what form the interview should take. Thus there was not a rigid order to the topics and questions introduced by me at the interview sessions.

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379 The Sudanese reputation for hospitality stretches long and wide. Almost all of the non-Sudanese I have spoken with who have gone to Sudan or have at least had the pleasure of spending time with Sudanese, have remarked to me about the warmness of Sudanese people -from all regions. Social Anthropologist, Ellen Ismail, states that the "Sudanese are one of the friendliest and most hospitable people in the world". see Ellen Ismail, 1985. p.66-74. Osman, a Sudanese informant for Tore Nordenstam in his book, *Sudanese Ethics*, explains that "the welfare of the guest comes above one's own needs: the generous man never thinks of his family or his own needs. In short, the generous man should be prepared to "sacrifice anything except his humour for his guests' comfort"." see Tore Nordenstam, *Sudanese Ethics*, The Scandinavian Institute of African Studies, Uppsala (Sweden), 1968. p.86.

380 There were literally only a couple of interviewees who preferred question and answer sessions to discussions.

Observing how each conversation developed, I had to be very adaptive as each interviewee had their own way of expressing themselves; thus, each conversation/interview developed uniquely. Sometimes I had the advantage of having previously met the interviewee(s), other times I did not. In the latter case, I would have to make as good a judgement as possible in the opening minutes of the interview selecting a style or approach which would make the interviewee feel most comfortable interacting with me. I use the word "advantage" because I feel more times than not, but certainly not always, that interviews were less formal and more relaxed; therefore, more fruitful in terms of a greater exchange in information, when the interviewee(s) and myself had been previously acquainted. In most situations, I believe it is natural for people to share more information about themselves and their own feelings when they are familiar and comfortable with whom they are sharing the information.

There were occasions when interviewees would use the time between an introduction and the actual interview -usually a few days- to formally prepare a statement, or at least have an agenda list -literally a written agenda or list of topics to be covered during the discussion- of their own which may, but in most cases did not, correspond with my own interview agenda.[381] In being a listener to whatever the interviewees wanted to express, and at the same time trying to extract as much information as possible from the interviewees regarding my research topic, I was more or less at the

[381] I do not mean to imply that our agendas necessarily conflicted. They could conflict; but they could also be complementary. They could even be completely unrelated, on topics having nothing to do with each other.

mercy of the interviewees each and every time. On the one hand, the more the interviewees and myself were acquainted prior to an interview, the more information I could get on my topic from him/her. On the other hand, the more the interviewees knew me, the more confident they felt to answer questions on their terms; so in fact, there was always the potential for the interviewee to gain just as much an upper hand as I thought I was gaining by interviewing on an occasion after we had been introduced and aquainted. In other words there was a sort of "Game" or competition between myself and the interviewees -the participants in the "Game".

All of the interviewees played the "Game" with me; some more actively than others, but nonetheless all played. What I mean is that whereas some of the interviewees played simply by not sharing with me information they felt should be kept from me and telling me what they thought I wanted to hear or should hear, others played to a level of almost dominating the structure of the interview session; at one time to such an extent that they told me not to speak until after they were finished with what they had to say. I was actually told when I could and could not speak. In addition, there were portions of some interviews in which the roles of interviewer and interviewee were reversed, or at least blurred. By definition, when I was answering questions from their interview agendas, then for that time I was an interviewee.[382] Although the situation of role reversal felt strange during the interviews it occurred, it is obviously logical that if one is going to give me time and

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[382] The *Collins Cobuild English Language Dictionary* defines an "interviewee" simply as "a person who is being interviewed". see John Sinclair (editor in chief), 1993. p.765.

information, I should be prepared, or at least not be surprised, to reciprocate. In other words, the interviewees and I frequently engaged in a 'game' of *quid pro quo.*[383] Thinking back at the interviews, the strange feeling I got was simply the result of being forced to share the position of power.

The "Game" was played irrespective of the familiarity between the interviewees and myself; but the issue of how acquainted the interviewees were with me and vice versa, in addition to how interested and informed they were on issues concerning "Human Rights", not to mention the individual personality differences of each interviewee, played a direct role in the agendas and power relationship or participant (interviewer and interviewee) positioning of each interview. In discussing the writings of Althusser and Pêcheux on ideology and discourse, Diane Macdonell explains: "...their work can demonstrate that no practice or discourse exists in itself: on whatever side, it is ultimately shaped and 'preceded' by what it is opposing, and so can never simply dictate its own terms."[384] In other words, the way people engage in spoken discourse is wholly related to the relationship -for example, friends, enemies, lovers, etc...- between the people speaking.

Because each interviewee had their own agenda, no matter how formerly prepared, each interview was drastically different -in time, content, and style. This is why some interviews took only a

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383 Though the topic and setting were far different than those of my fieldwork, the 'game' of *quid pro quo* between Dr. Hannibal Lecter and Clarise Starling in *The Silence of the Lambs* reminds me of some of the discussions I had with certain interviewees. see Thomas Harris, *The Silence of the Lambs*, Mandarin, London, 1990.

384 Diane Macdonell, *Theories Of Discourse: An Introduction*, Blackwell Publishers, Oxford, 1986. p.124.

half-hour, while others lasted up to five hours.[385] In some interviews I was challenged at every turn, while in others I was permitted to ask questions at will. At best, the agendas between the interviewees and myself were complementary; complementary in the sense that one's agenda fed off from the other's, thereby facilitating a smooth discussion. At worst, there was a complete conflict of agendas, meaning that the interviewee and myself were completely at odds with what we were intending or hoping to discuss.[386] Though this complete conflict, as a result of an accidental miscommunication, occurred only once; as mentioned before, the agendas between myself and the interviewees were most times not in unison.

The fact is, we -myself and the interviewee(s)- both used each other for our own needs. We were both interested in extracting information from each other, whatever the amount, on a particular subject, based from what we perceived each other to represent. Many times I was asked to answer questions as a representative of Americans or the 'West', just as I am using information in this thesis from those interviewed I perceived during my fieldwork to represent externally displaced Sudanese. I want to make the point

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[385] Generally, interviews that were with a group, or where curious onlookers were present, took longer. "Human Rights" is a topic in which everybody wants to have a say.

[386] A mutual contact arranged for me to meet with the Botanist, Professor Yusuf. Somehow, the message was never made clear to Professor Yusuf, from the contact, that I was interested in him personally -his cultural and professional background, and what his personal thoughts were on the topic of "Human Rights". I knew a little about him previous to our meeting; specifically that he had been detained and tortured in 1989-90, allegedly for his teaching practices at the University of Khartoum. Professor Yusuf was under the illusion that I was visiting him to discuss only Sudanese politics and Sudanese political history, even after I told him myself what I had come to meet with him for. When I began to ask him some personal questions, I felt the mood was not right. A few minutes into the interview, he requested that I shut off the tape recorder. I immediately abided. We subsequently talked "politics" for the next couple of hours.

that the flow of information was never a one way street. Every discourse truly was an exchange of information.

The "Game" or competition was not over who collected or who gave away the most information, but doing one's best to stick to one's agenda without offending the other. As long as no one was made to feel uncomfortable, there was a smooth flow and exchange of information. In sum, the "Game" was a friendly competition; sometimes genuinely friendly, other times friendly for the sake of keeping alive the discourse.

The "Game" And Politics

Trying to talk with Sudanese in an attempt at better understanding their cultures -their ideas on "Human Rights" from their cultural perspective(s)- was not the easiest of things, mostly because they loved to talk politics.[387] With many, if I dared to mention the term "Human Rights", I was liable to get a half-hour lecture on modern Sudanese political history. By a Sudanese individual's "culture",[388] I am referring to many things; included are the interviewee's family background, the region he/she is from, a particular tribal/clan affiliation, religious values, native tongue, education, profession, traditions, rituals, way of life, etc... Many

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[387] My experience with Sudanese, which could be very related to the fact that I have yet to enter Sudan, is the opposite of Tore Nordenstam's. He mentions in his book, *Sudanese Ethics*, that his three interviewees were somewhat reluctant to discuss political issues. Many of the Sudanese I interviewed only wanted to talk about political issues. A big similarity in our studies, however, is that both took place while a military junta was in power. see Tore Nordenstam, 1968.

[388] I am using the word "culture" similarly as defined in the *Collins Cobuild Dictionary*. It states that "culture consists of the ideas, customs, and art that are produced or shared by a particular society." see John Sinclair (editor in chief), 1993. The term "culture" is highly variable in its scope. I believe I am using the term quite broadly.

times I had to repeat myself and say to the interviewees that, "I am interested in you", referring specifically to the interviewee's life and culture. I admit, I did at times attempt to sway some conversations away from the subject of politics because politics sometimes became the sole focus of the talk. Kevin Dwyer acknowledges however, in the preface of *Arab Voices*, having a similar dilemma regarding the direction of conversations with the interviewees. I relate to his experiences very much when he remarks: "...I would usually direct my conversation towards what I knew of their (interviewee) interests rather than try to impose my own. I made a conscious effort to allow their thoughts to carry them where they wanted, but I felt it necessary occasionally to push discussion in a direction that more narrowly satisfied my needs. Inevitably what resulted was a blending of our concerns."[389] In the end, sometimes I was successful in changing subjects or topics without disrupting the natural flow of the conversation; other times, I just had to let the interviewees engage in lengthy discourses on Sudanese political history. I must say I was taught several lessons in Sudanese politics and history, and realise now that discussing politics is simply a "cultural characteristic" of many a Sudanese individual,[390] particularly so when "Human Rights"

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389 Kevin Dwyer, *Arab Voices: The Human Rights Debate in the Middle East*, University of California Press, Berkeley (CA), 1991. p.10.

390 Myself, Hussein (Sudanese Arabic/English translator), and a researcher from the Japanese National Museum of Ethnology had a lengthy discussion on the Sudanese love of talking politics. She learned this trait about the Sudanese while doing her fieldwork in 1985-86 in Sudan. Hussein brought up the interesting point that while Sudanese feel free to discuss politics at any time, the country has seen nothing but political turmoil. In other words, why has not all of this discussing politics been put to use in order to bring peace and democracy to Sudan? On the other hand, if peace and democracy came to Sudan, would people have as many reasons or the urge to discuss politics.

is at issue. I learned only after well into my fieldwork of the Sudanese reputation for the love of political discussion.

At times it seemed that this love of discussing politics prevented me from learning what I really wanted to from the interviewees. The problem though was not them, but me. I had false expectations prior to fieldwork that I could discuss "Human Rights" somewhat separately from politics. In other words, I had no idea the extent to which the interviewees would attach "politics" to the issue (and term) of "Human Rights". I am not suggesting in any way that a discussion on "Human Rights" necessarily must or should be separated from politics or a 'political discussion'. It is just that I thought, perhaps naively so, that politics mustn't necessarily dominate a discourse on "Human Rights", at least not particularly more so with the people I was to be interviewing. Once I realised that discussing politics was the interest of literally every interviewee, rather than attempt to steer the conversation off the topic I sometimes actually encouraged a political discussion, depending on the interviewee(s) of course, as a means of 'breaking the ice' and/or keeping the conversation going. It would serve me no purpose to fight a battle I could only lose by trying to force the interviewee to accommodate too rigid an agenda. In fact, it would have been a waste of time for both me and the interviewee. I had no reason to expect interviewees to participate solely, or succumb to an interview, on my terms.

The trait of discussing politics has not been challenged by any of my Sudanese friends and acquaintances. In a paper presented at the 15th Annual Conference of the Sudan Studies Association in the United States, I mentioned this trait and hoped not to offend any of the Sudanese present; in fact, I received nothing but smiles and nods of approval.

After having completed the fieldwork, I believe there was never a question regarding whether or not the Sudanese I met understood the term "culture", by itself, similarly as I understand it;[391] but it was fairly obvious from the early stages of fieldwork that "culture" was neither a concept nor a term most of the Sudanese interviewees associated strongly with the issue or topic of "Human Rights". The term "freedom", on the other hand, was frequently used by the interviewees; particularly when expressing their personal opinions or feelings on the notion of "Human Rights". Because I picked this up early on in my fieldwork, I almost always incorporated a question inquiring about the interviewees' definition(s) on the concept and term "freedom". Assuming from our 'politically' oriented discussions that the interviewees' had opinions on 'international standards' (or United Nations standards) of "Human Rights", I also usually asked direct questions on whether their personal thoughts and beliefs corresponded/conflicted with what they know of the United Nations documents on "Human Rights" -for example, the International Bill of Rights. Questions relating to the United Nations (and international community) fitted nicely into the discussions with the interviewees because the United Nations was seen by most as the 'supreme' political authority.[392]

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391 The interviewees and I were able to have discussions on Sudanese culture. There clearly was never a misunderstanding with the word "culture", itself, between the interviewees and I. It was just that every time the conversation moved to the topic of "Human Rights", almost everything having to do Sudanese 'culture' was put aside.

392 While the United Nations was expressed by most interviewees as the 'supreme' political authority, the United States was seen as the nation with the largest influence (or most power) within this authority.

Why Ask "The Meaning Of Freedom"?

Conducting interviews during fieldwork was very much a learning or feeling out process. Knowing what kinds of questions to ask the interviewees is learned only through discussions with them. In other words, it was only through the trial and error experience of asking various questions that I learned which ones would get much of a response from the interviewees. In most discussions on the topic of "Human Rights", from the very beginning of fieldwork, the term "freedom" stuck out as one which seemed to have a very powerful meaning for most of the interviewees. It was a word they often used when describing Sudan as a country currently lacking in "Human Rights" (or "freedom"). It was also a term they usually could comment immediately on. For example, if I asked the question, "What does freedom mean to you?", most interviewees could directly give me an answer on the meaning "freedom" has to them. In the couple of cases where "freedom" did not have such a strong meaning, they were able to easily explain to me what terms, instead of "freedom", did in fact have meaning for them in the context of "Human Rights" (or lack of "Human Rights"), such as "justice".[393] In the first few interviews, I did not ask any questions using the word "freedom". Only after realising that it was a useful term, in the sense that it appeared to be easily understood, did I decide to ask it directly, regardless of whether the interviewee(s) introduced it into the discussion themselves. This turned out to be a sensible move, for many more times than not, the interviewee(s) had much to say on

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[393] Saul expressed to me that "justice" had a stronger meaning for him than "freedom".

the term "freedom". In one case, "freedom" was the only topic on which the interviewee would reveal his opinion.[394]

In trying to better understand what "Human Rights" means for an externally displaced Sudanese, it would seem obviously important to attempt an understanding of what a "human" or "human being" means for an externally displaced Sudanese. Starting with the very first interview I took this into account; but the truth is only a small minority of interviewees ever introduced these terms or ideas. When I attempted to introduce them myself into the discussions, I hardly got much of a response at all. In fact, the few times I did introduce the terms into the discussion by asking questions like, "In your culture, what does it mean to be "human"?" or "According to the traditions of your people, what does it mean to be a "human being"?" or "Is a "human being" entitled to certain things simply for the fact of being "human"?", the interview seemed to stall for a few seconds until I asked a question which did strike a chord with them, such as one related to the notion of "freedom".[395] Excerpts from interviews to be presented in this chapter do show a few of the interviewees indeed introducing the term "human being" (or a related term) into the discussion; but it must be understood that, amongst those who brought it up, it was a term they felt comfortable to talk about when they, not I, introduced it.

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394 I will explain in detail later in this chapter about this particular case. The name of this interviewee is Kamal.

395 Instead of "the notion of "freedom"", this sentence could have ended with "Sudanese politics" or "the role -if any- to be played by the United States in overthrowing Sudan's government" or any number of possibilities.

Silent Matters

Now is an appropriate time to talk a little about some of the topics I had hoped -prior to and in the early stages of fieldwork- to discuss with the interviewees; but which, in the end, to my surprise, did not play a major role in our discussions. These topics, based from my fieldwork preparation -which included examining literature from a wide variety of sources concerned with the issue of "Human Rights" in Sudan-[396] and perhaps, naivety, I had very much expected to more than touch upon in conversations with the interviewees. Chief among the topics to which I am here referring are Female Genital Mutilation, Slavery, and *Hudud* punishments. It took me about two months of fieldwork to realise the great possibility that all three were going to play virtually no role in my discussions with the displaced Sudanese.

Arguably the most surprising topic which was not raised by a single interviewee during my fieldwork was Female Genital Mutilation (FGM).[397] The issue of FGM is one of the most talked

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396 Before embarking on the fieldwork journey, I did my best to read all that was available on the "Human Rights" situation in Sudan from official non-Sudanese political sources, those of a more academic nature, and those from Sudanese sources (government and non-government). In addition to materials from the United Nations, the United States (Department of State), Human Rights Watch, and Amnesty International, I also looked at materials from smaller organisations such as Sudan Monitor and NAFIR (Nuba Action For An International Rescue). Other organisations and literary sources of information include the Minority Rights Group, African Rights, Article 19, Anti-Slavery Society, Survival International, Lawyers Committee For Human Rights, The Sudan Newsletter, World Organisation Against Torture, Sudanese Victims Of Torture Group, Sudan Update, Sudan Human Rights Organisation, The Displaced, and the Sudan Democratic Gazzette. This is actually only a partial listing of where information has been published on the "Human Rights" scenario in Sudan.

397 I am using the term "Female Genital Mutilation" for any operation to the female genitalia which includes "Excision" -partial or total removal of the clitoris and all or part of the labia minora- and "Infibulation" -removal of all or part of the labia minora, removal of part of the labia majora, and stitching of the labia majora to leave only a small opening for the passage of urine and menstruation. see Efua Dorkenoo, *Cutting The*

about examples in the 'Western' world of abuses of "Human Rights" in Africa and the Middle East -especially Sudan;[398] yet, not a single interviewee thought it worth mentioning in the context of "Human Rights" abuses in Sudan. I can only speculate the possibility that the subject was too sensitive -both politically and personally- for the interviewees to bring up.[399] First of all, many of the people I interviewed come from communities in Sudan where FGM is practised.[400] It is understandable that these interviewees were not interested in criticising one of their own cultural traditions. Secondly, since most of those whom I spoke to were primarily

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Rose- Female Genital Mutilation: The Practice and its Prevention, Minority Rights Publications, London, 1995.
"Formal legislation forbidding genital mutilations, or more precisely infibulation, exists in Sudan. A law first enacted in 1946 allows for a term of imprisonment up to five years and/or a fine. However, it is not an offence (under Article 284 of the Sudan Penal Code for 1974) 'merely to remove the free and projecting part of the clitoris'."
"Sudan has the longest history of efforts to combat female circumcision over a period of 50 years; however, even today more than 80% of [northern] Sudanese women continue to be infibulated. Lessons may be learned from the experience of the Sudan, since it is the only country in Africa to have a record legislating against the practice."
The previous two passages were taken from: Efua Dorkendoo and Scilla Elworthy, *Female Genital Mutilation: Proposals for change*, Minority Rights Publications, London, April 1992. p. 11 and 28.

398 "Right. 'The church and the government know best. Just stay dependent.' Then they feed you the line about Newfoundland culture being a fundamental force that you can't change fast, or put pressure on. Like culture is some sacred cow! Rot! Sounds like the same arguments they use about women having clitorectomies in Sudan. 'It's tradition.' And 'women want it so they can become respectable adults.'" see Nigel Rapport, *Talking Violence: An Anthropological Interpretation of Conversation in the City*, Social and Economic Studies No.34, Institute of Social and Economic Research, Memorial University of Newfoundland, 1987. p.130. This is an example of the issue of FGM in Sudan brought up in a conversation on 'violence' in St. John's (New Foundland) between a couple of nurses.

399 While I was conducting fieldwork in Egypt in the fall of 1994, the issue of FGM was particularly sensitive due to CNN airing video footage of an actual 'circumcision' filmed in Egypt. "In the few minutes-long segment that was broadcast around the world, a small part of Egyptian culture was displayed that seriously angered and "shamed" Egypt before the international community." see Sandra D. Lane and Robert A. Rubinstein, "Female Circumcision: Universal Value and Cultural Relativism", Conference Paper, 1995. p.21. also see Jim Smolowe, "A Rite of Passage - or Mutilation?", *Time*, Vol.144, No.13., September 26, 1994. p.65.

400 It is currently estimated that up to 89% of females in Northern Sudan have undergone some form of 'circumcision' operation. see Efua Dorkenoo, 1995. p.88-89.

interested in politics, and in particular, interested in the fall of the present government in Sudan, the 'ritual' of 'female circumcision' was not at the top of their agendas. A comparison could be made between FGM and the practice of ritual scarring. Ritual scarring, practised by many peoples in Sudan,[401] is a custom many 'Westerners' might label as a form of torture, and therefore an abuse of "Human Rights". To all of the Sudanese I spoke to on this topic, however, it was always referred to as a painful 'tradition' or 'rite of passage'.[402] My overall impression is that possibly FGM (or 'female circumcision') would have been better discussed with the interviewees in a conversation centring on Sudanese rituals and rites rather than on "Human Rights". As gruesome as it may sound to those campaigning against it, the practice of FGM simply had very little place in the Sudanese discourses on "Human Rights" recorded

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401 One need only look at the face of many a Dinka, Nuer, or Shilluk to see scars in a variety of shapes and sizes. Scarring, however, is not only a practice of many peoples from Southern Sudan, for it occurs amongst peoples from all regions; though more persistently in the South.
"All male Nuer are initiated from boyhood to manhood by a very severe operation (*gar*). Their brows are cut to the bone with a small knife, in six long cuts from ear to ear. The scars remain for life, and it is said that marks can be detected on the skulls of dead men." see E.E. Evans-Pritchard, *The Nuer: A Description Of The Modes Of Livelihood And Political Institutions Of A Nilotic People*, Clarendon Press, Oxford, 1940. p.249.
"On the morning that Manute Bol became a man, six of his lower front teeth were gouged out with a chisel. In the afternoon of that same day his head was shaved and rubbed with ashes. He was told to lie down and rest his head on a pillow of wood. Using a sharp knife, a master of the fishing spear cut four incisions, intended to create shallow V-like scars. all the way around his head. He was fourteen years old at the time and very much attached to his teeth, which he cleaned after every meal with a stick. Nor was he keen about having scars on his head. He had been avoiding Dinka manhood rites for years. He ran away from home at the age of eight when tribal tradition demanded removal of teeth. He left home again when he was twelve, the age for ritual scarring." see Blaine Harden, "Up From The Swamp", *Africa: Dispatches from a Fragile Continent*, Houghton Mifflin Company, Boston, 1991. p.130.

402 The term "Torture", itself, was mentioned by several of the interviewees as a "Human Rights" abuse. Confusion sometimes arises between what a Sudanese considers torture with what a 'Westerner' might consider torture. Ritual scarring is one case in point. 'Female circumcision' may or may not be another.

in my fieldnotes. Perhaps if I never mentioned I was interested in "Human Rights", and simply stated I was interested in rituals and rites, I might have had more success in having conversations on FGM.

The practice of FGM has been attacked by the 'West' as a tradition which is barbaric, vicious, and at the very least, unhealthy. However, an attack on the practice of FGM by the 'West' may be seen by members of the societies which practice it as an attack on the values of traditional societies by societies -from the 'West'- that snub tradition and 'non-Western' values. In other words, an attack on the tradition of FGM could very well be interpreted as a form of cultural imperialism. I do not necessarily believe that a 'well intentioned' attack on a particular tradition implies cultural imperialism,[403] but I must take into consideration the feelings of the people whose tradition is being attacked, regardless of my own personal beliefs on the tradition. On a personal level, it is understandable that for the women who have undergone the traumatic operation of FGM, they do not have much to say. Perhaps, for them, it is an experience better left in the past. There is also the role of my gender. Being a young man certainly could have played a part in women not opening up about a painful operation on their private parts. The one time I brought up the issue of 'female circumcision' with a female Sudanese acquaintance (not interviewee) in Egypt, the situation became slightly embarrassing for her. Upon realising this, I immediately dropped the issue from our conversation. In conclusion, I do not know in fact the reasons

[403] An example of a "'well intentioned' attack" is anthropologists who campaign against FGM in Sudan while at the same time maintaining genuine concern for the well being of the Sudanese people.

why the issue was not raised by any of the interviewees, men and women alike, but I can say with certainty that FGM was not expressed as an issue at the top of anyone's list of acts constituting an abuse of "Human Rights". The same can be said of *Hudud* punishments -"punishments ordained by Islamic Law" such as stoning, amputation, and flogging-[404] and to a lesser extent, slavery. *Hudud* punishments, legal in Sudanese law since September 1983, are widely criticised in the 'West' as being cruel and inhuman; yet, none of the interviewees thought the issue worthy of inclusion in a discussion on "Human Rights". Some Sudanese did mention the September Laws enacted by Nimeiri in September of 1983 as a step backwards for Sudan in terms of a general respect for "Human Rights", but none of the interviewees singled out *Hudud* punishments as examples of "Human Rights" violations. Here we are again with an issue that dominates "Human Rights" dialogue -particularly concerning countries in the Islamic World-[405] in the 'West', but was virtually absent from my discussions on "Human Rights" with the Sudanese interviewees.

Slavery was a rather strange issue in that while many of the interviewees expressed personal freedom as paramount amongst one's "Human Rights", it was not singled out as an abuse of "Human Rights" (or an abuse against one's personal freedom). Possibly the interviewees felt there was no need to single it out for they could have assumed I understood by their words that slavery constituted a

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404 Africa Watch Report, *Denying "The Honor Of Living" - Sudan: A Human Rights Disaster*, Human Rights Watch, New York, 1990. p.iii.

405 Saudi Arabia is arguably the largest target of international criticism regarding the application of *Sharia* (Islamic Law) and implementation of *Hudud* punishments.

"Human Rights" abuse. It must be pointed out that all parties in Sudan's civil war are under increasing attack from the outside world on allegations of practising slavery. The case of the Sudanese military and government supported militias raiding the Nuba Mountains is probably the most documented of all.[406] My feeling is that if asked, the interviewees would respond that slavery, indeed, constitutes a violation of "Human Rights"; however, I cannot be sure. I say this after being shown a video at the home of an officer of the SPLA (an interviewee) containing footage of children undergoing military training. When I inquired about the children's parents and willingness to participate in the military exercises, I received not much more than a smirk. Like FGM and *Hudud* punishments, the issue of slavery appears to be, with slaves and their loved ones being the obvious exception, of greater interest -as a "Human Rights" matter- to the non-Sudanese at this moment in time.

Why does it <u>appear</u> that FGM and *Hudud* punishments are of greater concern to the non-Sudanese? The question boils down to the interests and concerns of an insider (Sudanese -especially Muslim) versus those of an outsider (non-Sudanese). More times

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[406] see Human Rights Watch/Africa and Human Rights Watch Children's Rights Project, *Children Of Sudan: Slaves, Street Children and Child Soldiers*, Human Rights Watch, New York, 1995. see Alex de Waal and Younes Ajawin, *Facing Genocide: The Nuba Of Sudan*, African Rights, London, 1995. In summing up the situation of the Nuba on page 1 of *Facing Genocide*, African Rights reports: "The Nuba people of central Sudan are faced with oblivion. The Government of Sudan is actively engaged in a campaign against the Nuba people, that, if followed through to its conclusion, will mean that there is no society recognisable as Nuba remaining in existence. The government campaign in the Nuba Mountains does not involve armed confrontation with the SPLA - the army avoids military engagements with the guerrillas, and concentrates its efforts on attacking defenceless villages and kidnapping and killing unarmed civilians. It is a war against the people. It is genocide."

than not, the outsider interested in FGM and *Hudud* punishments tends to be non-Muslim, non-African, and non-Arab. This means that the outsider is viewing FGM and *Hudud* punishments from a completely different upbringing and set of values from those of the insider.

For many a Northern Sudanese family, the 'circumcision' of both sexes is perceived not only as a tradition, but as a religious custom. The basis for this custom is said to come from the *Qur'an*, where it says: "When his Lord put Abraham to the proof by enjoining on him certain commandments...Abraham fulfilled them" (*Qur'an* : "The Cow" [*Al-Baqarah*]).[407] 'Circumcision' is considered one of those commandments. While 'circumcision' for males is a religious requirement,[408] Islamic scholars have been unable to reach a concensus as to the extent of the legitimacy of 'female circumcision' on religious grounds. This is demonstrated by the following two comments. The first is from the former Sheikh of Al-

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[407] N.J. Dawood (translator), 1990. p.22.
see Anne Cloudsley, *Women of Omdurman: Life, Love and the Cult of Virginity*, Ethnographica, London, 1983. p.101-104.

[408] The basis for male circumcision in Islam, as in Judaism, goes back to the covenant made between Abraham (*Ibrahim*) -the founding father of Judaism, Christianity, and Islam- and God (*Allah*) in the Book of Genesis. On the covenant, "God said to Abraham:

'You on your part must keep my covenant, and likewise your descendants from generation to generation. The covenant between myself and you and your descendants which you are to keep is this: everyone of your males must be circumcised; you are to be circumcised in your foreskin, and this shall be the symbol of the covenant between you and me. At the age of eight days, every male among you, from generation to generation, must be circumcised, as well as the slaves born in the house or purchased from any foreigner who is not of your race - slaves, whether born in your house or purchased by you, are to be circumcised. Thus shall my covenant stand imprinted on your flesh as a perpetual covenant. If there is an uncircumcised male, one who has not been circumcised in the foreskin, that person must be cut off from his people, in view of the fact that he has broken my covenant."

see J.M. Powis Smith (editor), "The Book of Genesis" (The Story of Abraham, 17:9-14), *The Bible: An American Translation -Old Testament*, The University of Chicago Press, Chicago, November 1931. p.24-25.

Azhar in Cairo, Sheikh Mahmoud Shaltout, who stated -in the mid-1980's- that:

"Islamic legislation provides a general principle, namely that should meticulous and careful examination of certain issues prove that it is definitely harmful or immoral, then it should be legitimately stopped to put an end to this damage or immorality. Therefore, since the harm of excision has been established, excision of the clitoris of females is not a mandatory obligation, nor is it a *sunna*" (an act practised and/or advised by the Prophet Muhammad).[409]

A slightly different view was upheld in 1994 by the recently deceased former Grand Rector of Al-Azhar, Gad el-Haq, when -in issuing a *fatwa* (religious opinion)- he declared that 'female circumcision' "is an Islamic duty to which all Muslim women should adhere".[410] Efua Dorkenoo, one of the foremost authorities on FGM, remarks that given the conflicting statements from various Islamic scholars on the issue of 'female circumcision', it is not surprising that many Muslims continue the practice. As long as 'female circumcision' is not condemned by the well known and respected Islamic scholars, it is unlikely for the practice to stop.[411]

Though 'circumcision' for females is not specifically mentioned in the *Qur'an*, there are several *Hadith* -sayings and actions of the Prophet Muhammad- certain Islamic scholars have

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[409] Efua Dorkendoo, 1995. p.37. also see Sheikh Dr. Abdel Rahman al Naggar, " Islam and Female Genital Mutilation", Workshop on Traditional Practices, End of UN Decade for Women, NGO Forum, 1985.

[410] Sandra D. Lane and Robert A. Rubinstein, 1995. p.21. also see D. Ezzat, "Female 'circumcision' contested again", *Al-Ahram Weekly*, April 20-26: 2.

[411] Efua Dorkendoo, 1995. p.38.

interpreted to mean that 'female circumcision' was a recommended practice by the Prophet Muhammad. For example, the Prophet was reputed to have said: "When you perform excision do not exhaust [do not remove the clitoris completely], for this is good for women and liked by husbands".[412] Muhammad is also said to have given the advise: "Do not go too deep. It is more illuminating to the face and more enjoyable to the husband".[413] After the *Qur'an*, it is the *Sunna* (*Hadith*) which is the foremost guide for Muslims on Islamic values and practices. As voiced by Carolyn Fluehr-Lobban, "the Qur'an and *Hadith* are the eternal, indisputable, fundamental sources of the law".[414] In other words, as far as many practising Muslims are concerned, the words of the *Qur'an* and *Hadith* are to be adhered to without question. What is disputable, however, are the varying interpretations and collections of *Hadith*. This is one of the main reasons why there are several different versions or forms of 'female circumcision' for different groups of Muslims. In orthodox (*Sunni*) Islam, there are four schools -*Shafi*, *Hanbali*, *Malaki*, and *Hanafi*- of jurisprudence. Each school has its own ideas with regard to 'female circumcision'. "Sheikh Dr. Abdel Rahman Al Nagger, a religious scholar from Sudan, explains the position of the different scholars and sects as follows:

1) The scholars of the Shafeite sect believe that both circumcision of males and excision of females obligatory.

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412 Sandra D. Lane and Robert A. Rubinstein, 1995. p.11.
413 Anne Cloudsley, 1983. p.103.
414 Carolyn Fluehr-Lobban, *Islamic Law And Society In The Sudan*, Frank Cass and Company Ltd., London, 1987. p.9.

2) The scholars and jurists of the Hanifite and Malikite sects believe that circumcision of males is *sunna* (an act practised by the Prophet Ibrahim) and that excision of females is preferable.[415]

3) The scholars of the Hanbelite sect believe that circumcision is a mandatory obligation for males and a good deed for girls."[416]

The influence the four schools of jurisprudence has had on Sudanese society in particular, and *Sunni* Muslims in general, is that through their own 'books of law', the schools essentially had the authority to make or break many of the 'religious' rules and traditions. Their authority is greatly honoured by many Muslims in lieu of the prominence both the *Qur'an* and *Hadith* have upon Muslim society.[417] This means that if 'female circumcision' continues to actually be encouraged -to whatever degree- by the four schools of jurisprudence, then it should not be expected that the practice of 'female circumcision' will come to a halt in the near future. It also

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[415] The Prophet Ibrahim is Abraham from the Book of Genesis.

[416] Efua Dorkenoo, 1995. p.37.

[417] "Knowledge of the *sharia* was obtained in the first place from the *Qur'an*. But since revelation in Islam was limited and fossilised in the *Qur'an*, recourse had to be made to the personal practice or decisions of the Prophet in dealing with new situations, and so, by a necessary fiction, the vast amount of material which had been assimilated from the legislative and social practice of the conquered countries was justified by attributing it to the Prophet's practice. Later, when this method could no longer be maintained, it became necessary to admit *qiyas* or reasoning by analogy, and finally *ijma`*, agreement between first the Companions of the Prophet, later broadened to agreement of the faithful and in practice to agreement between the *`ulama. Ijma`* in fact became the deciding authority. The whole system as revealed law (*sharia*) is called *fiqh* (recognition) and these four are the 'roots' (*usul*) of the *fiqh*. So there developed 'schools' of *fiqh* (called *madhahib*, sing. *madhhab*, 'rite'). Four such schools became recognised as orthodox: that of Abu Hanifa (A.D. 767), Malik Ibn Anas (A.D. 795), Ash-Shafi (A.D. 820), and Ahmad Ibn Hanbal (A.D. 855). The result of the foundation of these *madhahib* was that the way to further development became closed, the system became rigid and no one was allowed to investigate the 'sources'. The *Qur'an* and *Hadith* came to 'have no more value than edifying literature' and the interpretative *fiqh*-books of a particular *madhhab* became the authoritative 'law books' of an orthodox Muslim. Hence the *`ulama*, the doctors of religion, could never be creative and orthodox Islam became a spent force." see J. Spencer Trimingham, *Islam In The Sudan*, Oxford University Press, London, 1949. p.114-115.

means that as long as 'female circumcision' continues to be viewed as a religious custom, it is doubtful that those who practice the custom will openly criticise it. The same is true of *Hudud* punishments. *Hudud* punishments, themselves, were not openly criticised by any of the interviewees. As mentioned earlier, several interviewees did raise the issue of Nimeiri's September Laws. They did so, however, not to criticise *Hudud* punishments, but Nimeiri's particular implementation of *Hudud* punishments. To openly criticise *Hudud* punishments would mean, for many of the interviewees, openly criticising Islamic Law (*Sharia*) -the basis from which a particular punishment is declared. *Sharia*, because it is based from the sacred Islamic texts, was not something many Muslim interviewees were prepared to criticise.

It is usually very difficult for anyone to openly criticise a tradition, custom, or ritual of their own culture -even if, on the inside, they have strong reservations of a particular practice. The Sudanese woman I addressed the issue of 'circumcision' to in Cairo is a perfect example. While she expressed a considerable amount of unhappiness thinking back to her 'operation', she was extremely reserved in continuing a conversation with me on the unhappy, yet memorable, experience. As previously mentioned the subject was dropped almost immediately. Let me make a analogy between *Hudud* punishments and FGM with the sport of Bullfighting (*Toreo*). A good Spanish friend of mine recently expressed complete and utter dismay after reading an article in The Times on the living conditions of caged bears in China whose bile is used for medicinal purposes. The article states:

"A steel catheter is jabbed into the bear's side and a plastic tube runs underneath the skin, protruding from the hole in its matted black fur. Every few days the bear is milked. The pain leaves the clamped animal moaning and clawing at its face. Often these animals are tethered by steel straps. After perhaps ten years of this treatment, they are left unable to walk."[418]

My friend, though not an animal rights activist, would nonetheless say that she is against forms of cruelty and torture to animals. At the same time she is a moderate fan of the sport of Bullfighting. The main objective in this 'sport' is for the bullfighter (*torero*) to subdue the brave bull (*toro bravo*) to the point that it can be slaughtered in one mighty thrust with the sword. Throughout the contest, the *torero* teases its foe in a test of pride; and in the hope of provoking anger from its adversary, the *torero* stabs the bull with *banderillas*.[419] Bleeding, and enduring sharp pain, the bull fights on until its energy and adrenaline have been completely exhausted. It is at this point when the *torero* takes out his mighty sword and strikes the fatal blow -or so it is intended. There are

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418 Daniel McGrory, "Charity fights to free tortured bears from the milking farms of China", *The Times*, Wednesday December 18, 1996. p.8.
The first and second paragraphs state:

"The rusted metal cage was so cramped, the bear could neither stand nor turn around. For hours, it would butt its head against the iron bars out of frustration and pain. Nearly starved and demented by confinement, the animal lay in its own filth, writhing in agony from the gaping septic wound on its back.

Thousands of bears are kept in conditions like these on farms in China and milked of the bile from the gall bladder, sold as a traditional cure."

419 "*Banderilla* " can literally be translated as "little flag" or "little banner". In the context of Bullfighting, however, a *banderilla* is a thin stick with a sharp pointed tip on one end with a piece of coloured cloth on the other. Several *banderillas* are thrown at the bull -and are actually meant to stick in its skin- throughout the contest in an effort to make it enraged.

incidents when the bull survives the blow of the sword, at which time a dagger is impaled into its neck.

My friend appears to be rather selective in regards to the direction she expresses her outcry at animal cruelty. The reason is, in her understanding, that because Bullfighting is not only a sport in Spain, but an age old tradition, she cannot criticise it.[420] She explained to me that she grew up with the 'sport' and that it is a 'traditional' part of her 'culture'. Because of Bullfighting's status in Spain, it is not likely to receive a substantial amount of open condemnation -for example, on grounds of "Animal Rights" abuse- from many Spaniards.[421] Just like with the issues of FGM and *Hudud* punishments, criticism of Bullfighting is more likely to come from the outside by outsiders -in this case, non-Spaniards.

The effect of not discussing FGM or *Hudud* punishments or slavery with the interviewees was two-fold for me. Firstly, it made me realise that the "Human Rights" situation in Sudan could be looked at differently by virtue of being a Sudanese (an insider) or non-Sudanese (an outsider). Secondly, if a non-Sudanese, such as myself, is interested in discussing about what he/she believes is "Human Rights" with a Sudanese, the best way may not be through a discussion on "Human Rights", but one on Traditions or Rituals or Customs etc... An obvious question one might ask me is why didn't I make it a point to ask the interviewees about these topics

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420 This should not be taken literally. The point is that open criticism of the 'sport' of Bullfighting is rarely made because of its significant traditional and cultural status.

421 Protests against bullfighting have taken place in Spain, and probably will occur more frequently in the future. However, my Spanish friend informed me that criticism of bullfighting is rather minimal at present.

specifically. The answer is that the approach I took to my research was such that I did my best to refrain from raising particular examples of "Human Rights" 'abuses' in favour of waiting for the interviewees to bring up their own particular examples.

The Role Of Gender

As a young man -23 when I began my fieldwork- I was frequently told, especially by the Sudanese women, that I acted beyond my years. It felt nice to be flattered in such a fashion. The women, unlike many of the men, expressed a curiosity to know about my personal life -parents, siblings, relationships, etc... The men, on the other hand, tended to inquire more on my academic and 'professional' qualifications -universities attended, work experience, career plans, etc... Women interviewees generally expressed an especially strong concern for the welfare of Sudanese women and children -in and out of Sudan. This particular concern was not usually echoed by the men. In fact, the topic of women's and children's rights, as a separate issue, was virtually absent from my discussions with the men. Of all the interviewees showing an acute concern for women and children, Naomi (see Interview No. 4) stood above the pack. She was, however, trained as an anthropologist in university. Her concern for women's and children's rights, in addition to the plight of Sudan's indigenous peoples',[422] are not atypical interests for a former student of anthropology.

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422 Naomi made a point of telling me that as a Nuba, she is representative of Sudan's indigenous peoples.

My gender did not appear to have had much of an effect on the way women interviewees discussed "Human Rights" with me as opposed to the men. Both sexes appeared to be equally open (or closed) in their discussions on "Human Rights". The civil war, National Islamic Front (NIF), and the role of the United States in helping to overthrow the current government of Sudan, were all hot topics with both genders; whereas FGM and *Hudud* punishments were absolutely dead issues. Where my gender did play a strong role was in deciding who I should interview. As mentioned before, most of my early contacts were men. They, in turn, introduced me to their acquaintances -mostly men. Because interviews were generally arranged by referral, the amount of male interviewees was significantly greater than the number of females. Based on this alone, it could be concluded that my gender played a large part in shaping my fieldwork as a whole.

What Difference Does It Make That I Am An American?

Being an American undoubtedly had much to do with the way every interviewee spoke with me. Throughout the fieldwork, I have been seen as representative of the "West", the "international community", the "white man", "Europeans",[423] "capitalism", "wealth", "Christiandom", the American government, and last, but not least, American values. Some interviewees spoke to me as if I was in a position to relay their message back to the American Senate or Congress, others asked me for money, while still others

[423] I was seen at times as representative of "Europeans" mainly because of the colour of my skin.

(specifically Christians) thought I should sympathise with their plight because I come from a 'Christian' nation. For most interviewees, my marker was my Americaness; forget the fact I am a university student not even currently living in the United States.

Countless hours had been spent with interviewees discussing the politics of the current American President, Bill Clinton, and ex-president, George Bush. American policy in the region was frequently criticised; especially in its relationship with Egypt, and how this particular relationship has hurt the Sudanese people and political opposition. The United States was expressed by most as the potential pivotal political force. In other words, if the United States wants to do something positive for Sudan and its people -for example, by helping to overthrow the current Sudanese government- it has the power to do so. Dissatisfaction with the lack of direct American involvement in the political situation in Sudan was particularly evident in several interviews. A case in point was my meeting with Ghaali (see Interview No.8), a student from Southern Sudan. He and I were discussing possible roles for the United Nations and United States to play in helping end the Sudanese civil war when he threw out some comparisons with the actions and involvement of the United States in other global "trouble spots" by arguing:

"...if it is possible, the American government must treat all the cases in one label (on the same level). It agrees with those who are calling to help the Kurdish rebels in Iraq and to liberate Kuwait...invaded by Iraq; and also, to ban mass destruction, and to do with all which are against the Human Rights. It must treat all these

problems in the same way. As [with] us in Southern Sudan, I think it (United States) has a right (duty)."

"For me...if I'm speaking to Clinton now, I'll tell him not tomorrow, but from today my people are dying from all these things -catastrophes, wars, and famine and all these things. I can tell him now we can't go to [the] South because now I'm studying, I have no power. Even [after] I will [have] graduated, I will not have power. What can I do? I will pray to God to help me because He's the greatest power to help...solve all the problems. What can I do? I have no power!"

Ghaali's words sounded as though they were a plea for help to a nation -the United States- perceived by him to be in the best position to help the Southern Sudanese. 'If the United States acts as the global police force in Iraq, Kuwait, and Haiti', he asked, 'Why not Sudan?'

There were also times when interviewees went out of their way to flatter me by speaking highly of the quality of life enjoyed in the United States. This usually took the form of expressing the United States as a 'model' nation in terms of "freedoms", "justice", and "Human Rights". One such interviewee was Magid (see Interview No. 12), originally from Khartoum and now working as a waiter at a café on the outskirts of Cairo. He admitted that he does not know very much on the subject of "Human Rights" and has learned what little he knows from watching the television, and reading magazines and newspapers. He is not in contact with any of the Sudanese in Cairo active in politics or as "Human Rights" activists. Regarding his ideas on "freedom", he mentioned literacy, good health, adequate

amounts of food, and good working conditions as necessities for an individual to -hypothetically- be in a state of "freedom". He also mentioned that his life in Egypt was not a life in which he enjoyed "freedom". I then asked:

Is there a nation which represents your ideas of "freedom"?

"From the experiences I have lived, the United States for example. Freedom means the democracy like in America. You have the right to discuss what is correct and what is wrong. They (United States) have a constitution which I respect very much and it is something I wish everybody had. The Constitution protects the peoples rights while at the same time the people carry out their duties for the country. This is the reason why it (U.S.A.) is an advanced (for example, in technology) country. It (U.S.A.) respects the human being, his feelings, and his wants. These are the reasons it is advanced. This is my opinion in general."

Magid spoke of the United States as a 'model' nation where the "freedom" of the "human being" is respected and protected. The "United States" was described as being virtually synonymous with the notion of "freedom" (*"hurriyya"*). I could not help but feel during the interview that Magid was telling me 'what he thought I wanted to hear'. I do not mean this to sound as though he was obsequious. I believe he felt he was facilitating my research in a way easy for me to understand and accept.

My answer to the question, "What difference does it make that I am an American?", is that I believe it has made a meaningful impact on the way interviewees and I have communicated with each

other. I have not fully illustrated this here, but intend to later in the chapter. My intention at this juncture is simply to point out that my "Americaness" was a significant factor throughout my fieldwork in my discussions with the displaced Sudanese.

Why Confine The Study Only To Recorded Interviews?

Other than a few quotes, it is impossible for me to remember exactly what was said during the unrecorded interviews. As mentioned earlier, I interviewed well over one-hundred displaced Sudanese. Undoubtedly, the opinions I have formed on how displaced Sudanese discuss "Human Rights" is based on my research in its entirety. However, I have chosen to pay special attention to the spoken words of the interviewees, and to employ some of their spoken words in the next section of this chapter. The bulk of the ensuing sections entail looking at how interviewees responded to me on tape. While it is true that some surely discussed "Human Rights" differently -perhaps some interviewees were not honest or forthcoming- because our meeting was taped (as opposed to not recorded); my primary concern in this section is to focus on the precise spoken words of the interviewees, and when necessary,[424] the conditions under which those words were spoken. By conditions, I am referring to the physical setting, the number of interviewees at any one particular meeting, and the relationship between the interviewees and myself -prior to and during the interview. Regarding the forthrightness of the interviewees, I take a similar

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424 Description of the setting and location is very important for some interviews, but completely irrelevant for others. Description is used to the extent that it is necessary for a complete understanding of the interview excerpt.

view as that expressed by Tore Nordenstam in his book, *Sudanese Ethics*. He states: "That informants may fail to be honest and serious is...no reason for disregarding their ideological discourse."[425] My research is precisely concerned with their discourse.

Part III: Selected Discourses

Where necessary, I have made minor adjustments to the dialogue for grammatical and reader friendly reasons. I have, though, tried to keep the flavour of each interview as authentic as possible. Please understand that English is not the native tongue of any of the interviewees, and that my adjustments to the spoken words were not necessarily made to reflect their educational or class level had English been their native language. Transcription of interviewees who answered questions in Arabic was done with help from the Arabic Department at the University of Saint Andrews.

Kevin Dwyer, in his book, *Arab Voices*, explored "Human Rights" discourse, relying heavily on interview excerpts, amongst those active with (or against) the evolution of the "Human Rights" movement in three, comparatively peaceful, North African states -Morocco, Tunisia, and Egypt respectively. My objective is to present as clearly as possible, employing the spoken words of displaced Sudanese, how those interviewed responded to my questions and discussed the topic of "Human Rights". The interview excerpts presented in this section of the thesis represent selections from roughly half of those interviews which have been recorded.

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[425] Tore Nordenstam, 1968. p.42.

In the Preface of *Arab Voices*, Kevin Dwyer states, "Most of the people I talked to placed their discussion in the context of the profound crisis their societies faced".[426] It is also true, to varying extents, that almost all of the interviewees -whether they now live in the United Kingdom, Egypt or Kenya- placed their discussions in the context of crisis. I believe, though, that the crises faced by the Sudanese are much greater than those faced by the peoples studied by Dwyer. In my opinion, the crises faced by the Sudanese in the last ten years is comparable with the worst crises -in human cost- in contemporary times. The first reason is the seemingly never-ending civil war and political instability in Sudan. The second is the situation of being displaced (and for many, unwelcome) in a foreign country, and not having the slightest clue of when a return back to Sudan will be possible. All of the interviewees spoke about "Human Rights" in the context of how the political situation in Sudan has affected their lives. For example, because most of the Sudanese I interviewed have been displaced from Sudan after the military coup of 30 June 1989, most of our discussions revolved around criticising the current government of Sudan. Undoubtedly, the overriding "theme" from all of the interviews, as expressed by the interviewees, was that the current government of Sudan is not the right government for the Sudanese people. In other words, the dire situation faced by the displaced Sudanese is the result of the 'bad' politics of the NIF, General Omar al-Bashir, and Dr. Hassan Turabi -the latter viewed by most of the interviewees as the one pushing the buttons for the Sudanese government.

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[426] Kevin Dwyer, 1991.p.14.

Interview Selections

Mabrouk (Oxford: 20 May 1994) No. 1

This was the first interview I filmed, so I was understandably nervous at the beginning because I was afraid of having my attention diverted to whether the video equipment was working properly, the lighting was sufficient, etc... Initially, based on my thinking that the video camera would make us feel restricted and timid, I thought the interview would be straight forward; in other words, a formal question and answer session with very little improvisational conversation. However, he was surprisingly relaxed, and very prepared. He must have been convinced by Sharif, who helped set up the interview, that any information he would be giving me would only be used for scholarly purposes.

The first ninety minutes was made easy for me as Mabrouk read directly from a prepared written statement. Much of his background was covered, from growing up in Khartoum to his days as a student civil rights activist in the 1960's, his employment as a civil engineer, and the two periods of his detainment and subsequent torture. His story of detainment has been documented by various "Human Rights" organisations. As a leading member of a trade union, besides considered a "leftist", Mabrouk had been particularly targeted by the current government of Sudan.[427] He also extensively

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427 "Since seizing power in a coup d'etat on 30 June 1989, the military government of Gen. al-Bashir has arrested hundreds of people, including doctors, academics, lawyers, teachers, workers, members of the armed forces, policemen, civil servants and politicians. Thousands have been dismissed from their jobs."
"The RCC has dissolved all trade unions and professional associations. Aware of the fact that organised labour was potentially one of the most powerful political forces that could challenge its authority, the RCC launched an attack on unions which is unprecedented in Sudanese history. The assets and bank accounts of these organisations were frozen or seized, and their offices and clubs were closed and cordoned off by military personnel.

discussed the systematic use of harassment and torture by the present Sudanese government on its suspected opponents; emphasis was placed on his own personal experiences in detention totalling more than one full year. He claims to continue suffering physical ailments as a result of the torture he endured.

The entire session was actually like a seminar, with Mabrouk reading a paper, and later myself commenting and asking questions. After he finished reading, I had to synthesise in my mind all that he had said and pick out points which were directly relevant to the information I was seeking and wanted him to elaborate on. During his presentation he had mentioned that he was forbidden to say his prayers -as a form of torture- while in detention. I gathered from this that Islam had an important role in his life and was curious as to how he felt the Sudanese government, labelled as "Muslim Fundamentalists" by the international press, was using Islam under the guidance of the National Islamic Front (NIF).

What role does Islam have in the current Sudanese government?

"They (the government) are not good Muslims, and they are taking advantage of Islam to rule. Their mission is to rule; of

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However, the government continued to deduct trade union subscriptions from the salaries of government employees. The RCC arbitrarily dismissed a substantial number of judges, policemen, workers, nurses, doctors and members of other professional groups. At least 400 police offices were dismissed."
"The RCC has announced its own plans for trades unions, according to which, trade union organisations would become instruments of the government. On 30 September the RCC issued a decree which explicitly cancelled the Trade Union Laws of 1977. This decree also created steering committees for unions, under the direct control of the government."
These three passages are all taken from: Africa Watch, "Sudan- Political Detainees In Sudan: Trade Unionists", *News From Africa Watch*, Human Rights Watch, New York, January 22, 1990. p.4-5.
Although the passages are commenting on the Sudanese government of seven years ago, they are just as relevant for today.

power, of money, of everything. And as I told you...they forbid me to say my prayers (while he was in the "Ghost House", a secret place of detention). This is not Islam. The big issue which they are now trying to do [is] the application of the *Sharia* law (Islamic law). They say that now the government speaks about whipping for those who drink [alcohol], amputation for those who steal, and so on. We are against the Muslim fundamentalists (the government) and the *Sharia* laws which they are now calling for and trying to apply in Sudan now because they are not applied properly and it's not the proper *Sharia* that we know or we want. And they are not good Muslims in the respect that they are taking advantage of Islam to suppress people,...they scare people. If you say, "I am against this and I don't like [that]...", [the government replies] "Oh! You are against Islam." We are not against Islam. We are against the bad deeds that the Muslim fundamentalists are doing. And we are against it (the government). Islam is something different from what they are doing now. Islam is not against democracy; Islam is not against freedom; Islam does not say to you [to] detain people and kill them in cold blood, and torture them. This is against Islam. Islam is a religion of peace. This is why we are basically against mixing the religion with politics. We have to separate religion from politics. In Sudan for example, not all of the peoples are Muslim. Two-thirds of Sudan are Muslim and the other third are Christians and...pagans...[that] don't have any religion at all. Some people worship the cow. You see there are Buddhists...in Sudan. So you cannot suppress people in the name of Islam. And you cannot suppress other religions. Islam is the religion that allows...for other religions. And aaahhh this is why

we think that Muslim fundamentalists are really a threat, and...because they are terrorists, and they are against peace. And even in this...current problem of the civil war in Sudan, [the] democratic government (democratically elected government before the military coup of June 30, 1989) took over...[and] was leading the way for peace, for applying peace, for reaching...a peace treaty (settlement), for stopping the war, for solving the Southern problem, the problem of Sudan...by these re-negotiations, [and] through conferences. And there were a lot of peace initiatives which had been carried out. The Muslim fundamentalists,...they have some seats in the constituent assembly. They have been leading the way to...[a] military solution of the problem. They (NIF) think that the government should strike them (Southern Sudanese), should launch war against them, should impose unity by force. So, they (current government of Sudan) are against peace; and this is why we are against the Muslim fundamentalists. In a nutshell, they are not proper Muslims, and they are not good Muslims. And the recent period has confirmed this. Now they are exposed all over the world. They want to apply this system to all the Muslim countries...[and] they have ambitions to all [over] the world. And [they are] influenced by Iran, and taking [them]...as an example,...a model. If they succeed in imposing their views and ideas in ruling Sudan,...Algeria is waiting and Tunisia is waiting. If they succeeded in Sudan, they will try to do the same in Tunisia and Algeria, and other North African countries, and other Muslim countries -Arab or non-Arab,...[and] things like this. So they should...be stopped at this moment; not to continue with the terrorism. This is generally...my point of view."

Mabrouk has been concerned with "Human Rights" issues for more than thirty years. He participated in the October Revolution of 1964,[428] and has been strongly opposed to every military government since then. He speaks very strongly of democratic principles. I knew he would have much to say regarding 'international' or 'universal' standards of "Human Rights". The next few questions, accompanied by answers, went in order without interruption as they are now presented.

Is a Universal definition of Human Rights possible?

"I think it's possible, and it should be the issue of today, in this New World Order. Human Rights should be at the top of the list, and any (every) government in the world should be obliged by this (United Nations standards of "Human Rights"). Anybody who does not respond to this call should be isolated. Sanctions should be imposed I think by the other parts of the world, and that (the offending) country should be rejected from the whole world community as being inhuman. If we are living with this we want peace...and if we are human we shouldn't object to this issue being the common issue between the different countries. Any future government or future rule or any future behaviour which does not put the Human Rights issue as the top issue in front of their eyes shouldn't deserve to live in this world or participate in this world. After all, we are human beings...[especially] after what you have seen, and the atrocities...what we have suffered compared to what you have read

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[428] The "October Revolution" of 1964, which revolved around a national strike of teachers, students, civil servants, and trade unionists, occurred in response to the growing discontent amongst the Sudanese populace with the government of General Ibrahim Abbud. Issues of particular concern included the economy, education, and the war in Southern Sudan.

about in other countries. I can't imagine something more horrific than what I have seen in Sudan. And if this happens or is there, and it is really there, it should be an incentive for us to unite and co-operate, all of us, in order to do what is possible to make this issue a top issue in...the world, to the extent...that we apply punishment and sanctions; collective action on all people against this person or government which breaches such rights or violates Human Rights. I'm all for it and it can be applied. I think it's possible."

How accurate are the current United Nations definitions?

"I think it may need some revisions, some amendments here and there. And it may need some updating according to the new experiences that people have faced in different countries.[429] With the new development world-wide, under the New World Order, and with the emergence of these new aaahhh terrorism and fundamentalist ideas, I think it may need to be stronger in certain aspects...in view of the fact that there are certain things which need to be considered; [like] in certain cases which [are] considered a violation, and [in the] minds of others...not a violation. In some cases you will think some people are interfering in internal affairs and so on. You need to make this clear that anything concerning Human Rights should not be considered an interference of the world community in the affairs of any government. It is a right to interfere, and we shouldn't complain. It is right to speak about it, expose it, and punish for it. For the sake of humanity. We should be very strong about it."

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[429] Mabrouk's expressed concern of the particular experiences of particular peoples in different countries has a "cultural relativistic" tone.

"It's (the world) one village. You know what I mean? The world community should be one body;...we are one community in...respecting each other, and caring for the human aspects of each other. And if there is any violation of Human Rights anywhere, we should voice an agreement to stand against it. We will not interfere in the freedom...of anybody, behaviour of somebody or so on; personal freedom. But, generally speaking, if in the name of the government, you commit such atrocities, you should be stopped. And this does not in any way contradict with a person being free to do what they want, and look after their happiness and so on. You'll be free, you do what you like, but...[on] condition that you don't affect others. This does not contradict the freedom of others, if we are speaking of freedom. We have to be a little bit practical. And any utopia or theoretical ideas about liberty...should not be taken as...final. We have to be practical and see what is happening in the world today."

Are these definitions applicable to Sudan and its people?

"For Sudan; Sudan is a similar case which is not different as far as the individuals or tribes or clans are concerned because we have a lot of tribes in Sudan. The wars that have been in the Sudan for some time...or troubles between different regions are due to the fact that...each tribe wants to serve its people. Even the Southern Sudan, they have got a lot of problems. It's not only a problem between Southern Sudan and Northern Sudan. Even within the Southern Sudan, within the South itself, there are a lot of problems, and they know this; between the tribes, because they have so many tribes...about one hundred and seventy languages or so. Every tribe is trying to improve the life of the people in the certain village or

certain area. And this is where you find the competition between the tribes. Who is going to serve his people better? This is reflected in the power, at the top, in the leadership. Each tribe would like to take leadership of the South so that they serve the people. They [want to] show that they can serve the people better than the other tribe. And at the same time, they show their own tribe that they are taking advantage of making the rules. This is the bigotry they get (learn) from their leaders who are taking power now so that they find support from the [people] and so on. This is a sort of competition. And you find this also in the North. Most of the African countries are like this because the tribal system has been there for a long time, and it is not finished yet. It is still there. And...most of the civil wars there, and most of the troubles in Africa,...most of the troubles are due to the fact that it's a struggle between the different tribes, and each tribe wants to show themselves to others better.[430] And...a tribe wants to give everything to its people and supporters. For me, my point of view is different. I think aaahhh I'm not against the personal freedom, but I personally, I don't work for myself; I work for the society. I think it's better, or it is in my belief that I am from the society, I work for society, I give my life to the society, and with the improvements of society according to my family conditions and my conditions, [it] will be improved accordingly. Let us all work for development, improvement of all Sudan, and all of us will benefit. Let us all work for development, improvement of a certain area and benefit will go

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[430] Mabrouk spoke more negatively than any other interviewee on the plurality of tribes in Africa in general and Sudan in particular. For Mabrouk, "tribalism" is one of the primary roots of the problems of continuing violence in Sudan.

to all, but not to struggle against each other within one Sudan. [If] each tribe tried to get to be the best, to get everything, and then [believe] accordingly the individual's condition will be improved,...this will lead to competition. It will be a different start, and will lead to trouble. And when it is a competition for the better, for improving the whole Sudan, it's good; but [if] it's a competition for everybody who wants to up their share,...[it] is not good."

"So it really depends on how the freedom is used. Yes. Yes. And how the people think about it, and how the individual thinks. Of course we'll find other ideas, other than me. Some people...think it's better to improve yourself first in order to be able to improve others. [For example, that] you develop first your house, your family, in order to be able to develop Sudan. To my point; to my mind, it's not [right]. It's not correct, and something I think is selfish. Because if we don't think about others...first, we will not do it."

Mabrouk concluded the two and half hour session with a short twenty minute presentation primarily on the use and methods of torture employed by the current government of Sudan since it took power in 1989. He, himself, had been subjected to many of the torture methods he described. Though there was ample time for me to ask questions, the structure of the overall interview was designed to be opened and closed with presentations by Mabrouk. In other words, the major purpose of Mabrouk's agenda was to make as clear as possible to me, by giving two presentations largely concerned with criticising the current government of Sudan, the

point that the present 'regime' in Khartoum is evil and an abuser of "Human Rights".

Mubarak and Friend (Cambridge: 22 May 1994) No.2

As we were about to start the interview Mubarak expressed reluctance to the idea of videotaping our meeting. I thought it was strange since Sharif, our mutual friend, told me that he had asked and received permission from Mubarak to videotape the interview. Moreover, I spoke to Mubarak once over the telephone and he expressed no objections. He agreed to be videotaped for approximately two minutes; and this was not as a result of my persistence. Two minutes, however, barely included an introduction of himself; but it hardly mattered, for the entire interview was being audio taped anyway.

In the early stages of our meeting I learned of his activities as a "Human Rights" activist and his communist affiliations. The first twenty minutes consisted of him reading a written statement -like Mabrouk- describing in minute detail the torture he received during his first two months in detention.[431] Later he was to tell me that he had been redetained for another ten days.

I asked him some questions about his life in the United Kingdom. He told me that he was especially active with organisations in the promotion of "Human Rights" for Sudanese people, especially those in exile. This led into the part of our discussion closest to the topic of my research.

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431 I have not transcribed the presentations of either Mabrouk or Mubarak -at their request- to preserve their anonymity.

What are your feelings about the United Nations definitions of "Human Rights"?

Mubarak: "All the Muslim fundamentalists all over the world are trying to impose new ideas about what's right for the Muslims; something that...the instruments, like the United Nations conventions, and all this stuff doesn't imply in the text. They're trying to say well if there is an idea of Human Rights, why not consider the rights of the Muslims to do whatever they like...[and] want to do; which to me is a very conniving idea, and it's a very cunning one because our concern for example [is] for the personal freedom of the people. The concern of instruments like [the] United Nations conventions of...civil and political rights is that people should not be detained for no reason;...no one is going to be penalised for an act which doesn't constitute a crime at the time of his doing it. I think there are kinds of international standards which are acceptable to the whole world. Those Muslims who are trying to bring the idea of let's see the rights of the people, the rights of the masses of people, the right of people whose cultural background as Turabi is now trying to advocate in any aaahhh platform he's addressing people; he knows that the main attack on his idea of making Islam as an international, aaahhh what I call it...international (inaudible word). Well, he's trying to use the same argument of the West, of the United Nations, "But, well, we must be recognised, and we must be protected as a group of people who wants to pursue their rights. Which we are Muslims, and so we have the right to apply *Sharia* laws if we believe that these laws must be applied by Muslims in their countries.""

The conversation narrowed to discussing the topic of "Freedom of Religion" within international documents and whether or not religion was a personal matter.

Mubarak: "I simply don't believe in ideas of a national religion. It's a way of trying to impose a religion on minorities, definitely. So I don't believe even you can interpret the United Nations convention about the right of the freedom of religion to mean that states have the right to declare a religion to be an official religion. I myself, I cannot interpret this clause to mean that, no, no way. To me, this clause has to do with the personal freedom. You have the right to be whatever...you want to believe in; to be a Christian or whatever, a Muslim. So, there is no way to interpret the United Nations clauses about freedom of religion to mean that states have the right to declare a religion as an official religion. It just contradicts the sense of the clause, no way."

Next, the doorbell rang, and in came a friend of Mubarak. Without the traditional and warm Sudanese extended greetings he immediately sat in between us and joined in the conversation.

The topic of religion was the instrument Mubarak used to put forth his views on individual freedom. As the conversation moved on he expressed resentment towards ideas of African unity or an African philosophy; in other words, a philosophy of life common to all Africans.

Mubarak: "There is nothing to be like consensus in Africa, of the people of Africa, of the people of this country (Sudan) of Africa. Nothing like that. Among every nation in Africa, societies are classified."

Friend: "This (idea of an African philosophy) is, I think, built on a completely distorted hypothesis that all people in the state, the given state which claims to have got their own nationals homogeneously living in the same religion without any exception,...are living uniformly to the same degree of fundamentalism. Islam has got many many sects and many many schools in and of itself. So which school is there? For example...for Turabi...there is just a (one) school of thinking in Islam...[and] they (National Islamic Front) are being contradicted and even being fought by some other Muslims in the Sudan. They -those who are against the National Islamic Front- believe in Islam, but not this (Turabi's) version of Islam. So...you cannot claim that everybody feels the same degree of obligation towards Islam. So, I agree with Mubarak that this clause (United Nations clause regarding freedom of religion) should not be understood or interpreted in the sense that it is for a state. It is just an individual thing."

The ending of the session was a bit strange. I vaguely remembered, from the very beginning of the interview, Mubarak mentioning something regarding the Sudanese Communist Party (besides his affiliations with Sudanese communists). Just to be sure that I was remembering correctly, I asked him if he was a member of the Sudanese Communist Party. The room became silent for a few seconds before he confirmed -speaking hesitantly and softly- that he is in fact a member of the Sudanese Communist Party. This pause -apprehension- was very significant because it symbolised the relationship between Mubarak and myself throughout our time together. I went to his home expecting to videotape the

session because a mutual friend (Sharif) told me that Mubarak had approved. On this day however, he decided otherwise. As well, he and his partner expressed a great amount of cynicism regarding the reasons for my needing any/such information from him. I had to promise them that I was not working for the Civil Intelligence Agency (CIA) and that I would show them a copy of the finished thesis.

All I can suggest as the reason for Mubarak's cautious demeanour is that he is actively working in the Sudanese political opposition and is a well known opponent of the current government of Sudan. I do not say he is unjustified in his reactions to my questions and research. He has been imprisoned and tortured for his beliefs; and is perhaps over protective because he wants to make sure this never happens again. This is in complete contrast to my interview with Mabrouk, who had actually showed enthusiasm to being videotaped.

Abdel (Cairo: 4 October 1994) No.3

Abdel is a reserved man; but at the same time, very relaxed in manner. His English is minimal, so he preferred to answer in Arabic. Kareem helped by translating my questions and Abdel's answers.

For the first half hour we discussed his background, the living conditions of Sudanese in Egypt, and the current state of affairs in Sudan. The excerpts used here come in roughly half way through the interview.

Can you explain to me what "freedom" means to you personally?

"*Hurriyya* (Freedom)! Freedom is the most precious quality of the human being. If it weren't for freedom, humanity itself would not exist. Humanity is based on freedom. Freedom...of speech. Freedom of expression. Freedom in everything is perhaps the only characteristic which people call for,...but freedom should also have limits. I respect your point of view, you respect my point of view. These are limits for freedom. Freedom for humans is an eternal necessity, but with its limits."

"It's like I told you. One wishes for freedom because it achieves many many things for oneself. For instance, if I found freedom under the wing of a democratic system, I could go out and express my opinion on a certain issue which could be political, religious, or economic. This is important to me because if I cannot express myself, and we take the other situation (without democracy), there can be no criticism, no constructive criticism. Because if I don't have my freedom, I can't express my freedom, and so the other person only takes one side of the story. And this, we can say freedom complements a democratic system. And the proof is that the democratic system includes the opposition. For instance, how can he (anybody) criticise the government in any way, but with total freedom. He can put forward his opinion and this helps the government; and thus this helps the government to help itself overcome its mistakes through opposition. Actual freedom makes people equal; even the simple workman or farmer. When he has a point of view...something specific...he can communicate it to you. Next is the herder. The herder has got a specific point of view. For instance, he wants veterinary centres in his location. Today, the far

away pastures and the areas of the veterinary hospitals are far away. So these are things the simple herder gives his opinions on; so that the person with authority, who has authority over animal resources takes his (the herder's) advice. Because he is the person who is being exposed to harm, and so whenever they bring closer veterinary hospitals or specialists in areas concerning the herder, ...this is part of freedom of expression. Through it a human communicates all of his opinions."

"The same as well, for instance, the popular force (ordinary people) in Darfur in 1980. When they had asked to remove the governor,...they didn't want him. His negative qualities were greater than his positive qualities, and thus the simple people stood up and called for the government to be changed; that his (governor's) term must be cut off. So, a person can express himself in this way if there is democracy. People can express themselves; for instance that this governor is not wanted, and thus through democratic means and available means of expression, people could talk to the concerned authorities to take away this governor and get them a governor that they wanted. This is political freedom."

"This is part of freedom...if this had happened in a democratic period. Had there been a democratic governor, people [would] have expressed themselves in a better way."

Within family, is there such thing as "freedom"?

"Actually brother...freedom in my family circle. If I have an opinion on a certain issue inside the home, for instance renovation or marriage or travel etc..., especially private things which we consult each other about, [especially] marriages. The woman or the

girl in our home, they give her her freedom that she would choose the person she would marry. Sometimes in the past, they refused to let the girl go out of the [family's] house. For instance, in my family, marriage for my sisters takes place by their choice. And this part of freedom of opinion, on the family level for instance, [is] even in choosing...the *umda* (village head or chief), etc.. This happens by agreement. There is a general meeting, so that people can choose who will be the *umda* or sheikh. This within the tribal system exists and takes place by consensus and through choice...choice of the people. So it's not forced on the people. This is part of freedom in a tribal setting. If we assume that there is a girl in the family and she has a problem with a man, and he wants to marry her whether she likes it or not, so her family will refuse him, and it's happened before. Forced marriages have vanished from us with civilised and modern methods. People have developed [for the better]. Marriage doesn't have to be within the family circle, and so people have become more open in Darfur. So, if you went to Nyala where I'm from, all of the tribes are intermingled through marriage, and so with the passages of time, the concept of tribalism could vanish."[432]

Abdel and I next discussed the role of the international community with regards to helping the Sudanese political opposition. Our discussion centred on the use of pressure (or lack of it) put on Sudan by the international community in response to the current status of "Human Rights". At this juncture, I wanted to know

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[432] Abdel expressed "tribalism" as a system which is archaic or behind the times, and not very compatible with the 'modern' or today's world.

how he felt about the definition of "Human Rights" as written in the International Bill of Rights.

What are your feelings on the standards of "Human Rights" as voiced in United Nations documents, and on the applicability of these standards in Sudan with respect to the Sudanese people?

"Some of these standards I accept, some of them I don't accept. Freedom of speech. Human Rights. Respecting other people, whether they be Christian or Muslim. Etc... Also, [there is] the equality of law and justice. All of these are important, and I believe in them."

Other than making it a point to give me a lesson in the history of Darfur and the Daju people, Abdel was quite open to discuss whatever topics I was interested in. The only restraint was that he could meet with me for just one hour. Subsequently, Abdel and I met many more times because of his friendship with Kareem. We got along very well, and had many more opportunities to discuss -very informally- "Human Rights" in the context of Sudan's current political situation.

Naomi (Madinet Nasr: 5 October 1994) No.4

We met for the first time at the interview. She is fluent in English, quite sociable, and extremely knowledgeable regarding the current debates on the global applicability of an 'international' standard of "Human Rights". She spends much of her time promoting awareness to the "Human Rights" situation in the Nuba Mountains. All of this means that I did very little of the talking. Before starting the actual interview we briefly discussed the questions I

was intending to ask her. Then, as soon as I pressed the record button, she immediately began speaking. I had only asked for her full name before she ploughed right into a lengthy explanation on the social and political situation of the Nuba people in Sudan -past and present.

"What I understand by the Human Rights as a woman in the first place, and as a Nuba, because they go together as a Nuba woman you see. As a woman in general in the Sudan it's a real problem, because basically...there are basic Human Rights for everybody like freedom of movement, freedom of expression, and freedom of religion, and all these kinds of things, freedom of education, to choose the husband and these kinds of things. But unfortunately even these basic Human Rights are not available in the case of the Sudanese women, because some of the tribes in the Sudan look upon the woman as a second class citizen, and as a Nuba in the Sudan I am a second class citizen. So you can say I am a double second class citizen. What I mean by this is that there is always a kind of suppression and I have to defend myself as a woman, and I have to defend myself as a Nuba. But if we take the case of the Nuba people, it is surprising that we respect the Human Rights you see, and the woman is treated in a very respectable manner and she is independent in many aspects; independent because of the fact that she owned the land and economically she is independent. That's why she gained this situation. So in cases of marriages for example, we are free to choose our own husbands, unlike some parts of the Sudan, like the North -women have to obey their fathers. When the father

brings up a husband, she just has to accept it like that. This case is not applicable in our region."

Is this amongst Muslims, Christians, and...?

"In the Nuba there is no question of Muslim or Christian or non-religious. The traditions go together with the religion, even for example I came from a Muslim family, but there are certain things which we refer back to our traditions like in the case of inheritance, in Islam the inheritance of the man should be double of the woman,[433] but in our case as a Nuba, it is divided equally among everybody, no matter whether a man or a woman. You see, so this is why the tradition goes together with religion. We don't have these kinds of problems. This idea comes from the fact that the woman is equal,....she's just looked at as a man, you see. And even in some villages she can take over the power, you see. But when I went to the North and to join the secondary school or the University then I began to notice a different source of violations against women, and

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433 "A male shall inherit twice as much as a female. If there be more than two girls, they shall have two-thirds of the inheritance; but if there be one only, she shall inherit the half. Parents shall inherit a sixth each, if the deceased have a child; but if he leave no child and his parents be his heirs, his mother shall have a third. If he have brothers, his mother shall have a sixth after payment of any legacy he may have bequeathed or any debt he may have owed."
"Your wives shall inherit one quarter of your estate if you die childless. If you leave children, they shall inherit one-eighth, after payment of any legacy you may have bequeathed or any debt you may have owed."
"If a man or a woman leave neither children nor parents and have a brother or a sister, they shall each inherit one-sixth. If there be more, they shall equally share the third of the estate, after payment of any legacy he may have bequeathed or any debt he may have owed, without prejudice to the rights of the heirs. That is a commandment from God. God is all-knowing, and gracious."
"If a man die childless and he have a sister, she shall inherit the half of his estate. If a woman die childless, her brother shall be her sole heir. If a childless man have two sisters, they shall inherit two-thirds of his estate; but if he have both brothers and sisters, the share of each male shall be that of two females."
The preceding four passages are from the Qur'an: "Women" (*Al-Nisa'*).
see N.J. Dawood (translator), *The Koran*, Penguin Group, London, 1990. p.61,62,78.

this is where I became disturbed and began to ask why and how, and then this is where I began to realise that different tribes of the Sudan have different...views about the woman...as a human being. OK, if we come to the legal part of it or the Constitutional part of it there is suppression of the Sudanese women in general. For example, some of my friends or colleagues from the North, we went to the school together and we were at the university together, but when....you can imagine a university graduate who has no chance to choose her own husband you see; and even if she gets married aaahhh to the man...she's [still] looked upon as second class. For example, she goes to work together with the man, but then she comes home, she has to do the cleaning, and the cooking, and to look after the children, and all these kinds of things, while the man goes out to the club and enjoys himself, you see. And there are cases where women are slashed (whipped) by their own husbands or fathers or children. I don't want to focus on this (whipping) because it is not very common, but it is there. Some tribes exercise this,...especially where education is not [available]. Many Sudanese stick to the idea that a woman should be controlled; like using a remote control to order the woman to do this, that, and the other. So, I am speaking for the North because geographically I am from the North; this is one point. The second point is that as a Nuba -and here comes the real problem; during colonisation we were marginalised. What I mean by marginalised is that there was this policy of closed districts in the Nuba Mountains, and the South, and part of Darfur. And this policy of closed districts has created serious problems for us because we were deliberately excommunicated (separated) from the Northerners.

This is one point. And the second point is that there was little education you see; and especially [for] the Muslims, there was no school for the Muslims, only the church because it was the...mission. So, we were excommunicated (separated) from the North, and this created like...a boundary, like something psychologically between me as a Nuba and the Northerners. In my case because part of me is in the North, I went to the schools in the North, so I have a clear aspect about everything, but I am talking about the Nuba in general. They were always...having their own society, their own tradition, their own culture, their own everything, and they almost know nothing about the North, you see. But then, when the independence came and suddenly we found ourselves together with Northern Sudan, just without any introduction -like that. Then the Northerners look upon us as ancestors of the slaves because of the slave trade in the Nuba; that was a long time ago. And at the same time the language; ...communication became a difficulty because many of the Nuba do not know the Arabic language, you see. So even when they go to the North, only for certain things,...they stick together wherever they go, and then they come back. Also the fact that many of the Nuba were in the Sudan army. This created a kind of communication with the Northern community, so...some of them began to marry from the North, but at the same time they were relegated, you see. They were just there. I mean they were not open and it was difficult for them just to export themselves to the North like that. So this kind of thing was not treated well by the Northern Sudanese, and what I mean by the Northern Sudanese, I mean the governments which came after the independence, you see. Because, also ever since the

independence, then the Nuba became marginalised. I mean there was no economic development, and only a few schools, and aaahhh no roads to leave between the Nuba and the other parts of Sudan, and still the situation remains as it is."

As soon as she finished with one topic, she moved to the next without me asking a question.

"What I want to say is that this question of the Nuba and the Human Rights, and if we look at it from the point of view of the Human Rights, you see, there was continuous violations of the Human Rights in the Nuba Mountains, for different reasons. The first reason as I mentioned just now is that because we are looked at as ancestors of slaves and second class citizens. The second point, and this is one of the main points, came with the discovery of oil in the region. And when the states of the North began to look now (and say), "these people are not educated and they are slaves and they don't deserve all this. So, what we need to do is clear the whole area of the Nuba and we replace it with the Arabs"."

"And this idea what's happening now in the Nuba was introduced by Hassan Turabi, the one in power now. It was introduced by Hassan Turabi (in) 1976, when he reconciliated with Nimeiri together with Sadiq Al-Mahdi; and Hassan Turabi presented his proposal for Arabisation of the Nuba and the replacement of the land by Arabs."

Where are the Nuba to go now?

"They can go to Hell! Yes! And this is where we are going now."

Is Hassan Turabi making a distinction between Nuba Muslims and non-Muslims?

"If the Nuba do not accept Islamisation and Arabisation, then they should be moved out of the area. This is where the idea of the ethnic cleansing came from. In 1983-84, when Nimeiri began to focus on the Islamic religion; then here came the idea. In secret, the Arabs in the region were given weapons and ammunition."

Naomi just continued to the next topic.

"We (the Nuba) are not against anybody, but there is gross violations of the Human Rights. You see, I can be working in my farm, and then somebody comes and kills me. This is a gross violation. I cannot keep quiet."

"There were gross Human Rights violations of the Nuba women, because according to the regime now they are the public property of the soldiers in the region. You see there is daily rape of women, and they take them to the camps to do the cooking, and all these kinds of things. Any man can rape her, any man can use her the way he wants. You see, this is in the present regime. So, I think that our politicians were not very wise in the past because this thing could have been dealt [with] in a better manner; because if it's true, Islam is there and...this has nothing to do with Islam -what is happening now. I know it has nothing to do with Islam."

We spoke for at least thirty minutes on Sudanese politics and on her personal life. Opposing the current government of Sudan has become her full-time occupation. It was not till near the end of the interview, and right after talking about her work in exile that I asked her to give me her definition of "freedom" and tell me her thoughts on the United Nations definitions of "Human Rights".

What does "freedom" mean for you?

"Freedom of expression, freedom of movement, freedom of religion, freedom of taking a decision and the responsibility of that decision. I make my own decisions, but I am part of a community. Every human being is part of a community, and the community, which for example, the state is responsible to protect this freedom. You see, this is a responsibility of every state or government -is to protect my freedom. You see, not to suppress me."

How do your thoughts on "Human Rights" correspond with the definitions of "Human Rights" as stated in United Nations documents?

"They correspond with my thoughts fully, but they are not applicable (applied) in the case of the Sudan....Look at the regime now in the Sudan. You see, they have no respect and have no relation to whatsoever is there in the United Nations papers."

"What the United Nations has drawn about the Human Rights can be applicable to any part of the Sudan, and actually I feel that this should be part of the Sudan Constitution in the future; when people sit down to draw the permanent Constitution then the definition of the Human Rights in the United Nations should be part of the Constitution of the Sudan."

"But I think that the response of the United Nations with the case of the Sudan is not enough."

Although Naomi was not waiting for me with a written statement, she was very prepared for a discussion on "Human Rights" in Sudan; and in particular, "Human Rights" in the Nuba Mountains. She is very experienced in giving presentations on "Human Rights" from the 'Nuba perspective'. With me, presenting the 'Nuba

perspective' was her primary objective. After the interview, which took roughly eighty minutes, we talked for a while over a cup of tea. We got along very well, and I was happy to have met up with her on future occasions. During my stay in Cairo, she went out of her way to help facilitate my research by providing me with additional resources.

Malik (Madinet Nasr: 5 October 1994) No.5

I was a little nervous for this interview because Malik is held in such high esteem by his friends and colleagues. My first impression was that the interview would be very formal. However, it turned out that there really was no reason for me to be so nervous at all because he, like Naomi, did practically all of the talking. The big difference between the two interviews was that Naomi's was conducted in her apartment, whereas Malik and I met at his place (office) of work.

We spoke in detail about Malik's Sufist roots, and the role of Islam in governing Sudan and in peoples lives. This was followed by a discussion on the development of the National Islamic Front (NIF), Sudanese political history since independence, and "Human Rights" awareness in Sudanese politics. It was while we were on the last topic when I asked him:

> *How applicable [or compatible] are the standards of "Human Rights" as stated in United Nations documents to Sudan and its people?*

"Thank you for that question. There were some debaters, at a workshop in Cairo in 1992 (November), who were talking loudly that,

"well "Human Rights" is such a new movement, it's only seven years (old), and something like that". I was very happy to say "no" to that view, and to say, "look, before 1956, first of January 1956, when Sudan gained its national independence. Since the 1940's, and even early 30's, just after the 1939 war, the scramble for self-determination rights on the part of the colonialists. That's when the Sudanese modern movement started to know the universal tradition of Human Rights." And from that time on, even some political parties in Sudan, like the Sudanese Communist Party which started in the 1940's, was one of the first ones to adopt versions (pre-cursors) of the Universal Declaration of Human Rights, and to say the Sudan must have the right to self-determination, and not necessarily union with Egypt or some relation with Britain, as the two other prominent parties were saying, but just the full right of citizens to say what we want, right. So, it's a fallacy to say that the Sudanese people were not really well versed in some of the substantive material of Human Rights until very, very recently, like when this flavour came, and you know there are so many Human Rights today. Hmmm, the Human Rights movement in Sudan has been to a great extent, well organised, in the struggle of the Sudanese people to have independence. And then, you can look at the 1955 first constitution of the country, it has a lot to say on Human Rights and civil freedoms and political freedoms and rights."

"Of course they (United Nations standards on "Human Rights") are very applicable, and...they were to some extent well known, and the Sudan has been well integrated into the international system, and to tell you the truth, the only obstacle which crippled the

movement of Sudan as a civilised modern state to more integration with the international system was the military times in Sudan. From 1958-1964, when the military came, they rolled back the civil society of Sudan. And then Nimeiri, from 1969 to 1985,....and then Bashir now from June 1989 until this moment; these are the major elements that drove back the movement of the civil society of the Sudanese people to be more integrated with the international system, including the Human Rights norms. And to tell you the truth, just when you open up democracy for the Sudan, 1986-1989, the Sudanese people through their government, they signed aaahhh the agreement, they ratified and signed the agreement on Civil and Political Rights; Economic, Social, and Cultural Rights; and the Protocol.[434] Just within this time, you know. Well, Nimeiri did something in 1986 when he ratified the African Charter on Human Rights. That's why, because he was, at that time, selected to be president of the OAU, for sometime, and the OAU met in Khartoum. So he was compelled to ratify the African Charter. But more important than the African Charter, of course, is international theme. You know, the International Bill of Rights, OK. Then [there] we were, as Human Rights activists, as political parties, intellectuals and trade unionists and that and that. We were

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[434] Sudan became a party to the International Covenant on Civil and Political Rights (A/RES/2200 A (XXI), 16 December 1966) and the International Covenant on Economic, Social and Cultural Rights (A/RES/2200 A (XXI), 16 December 1966) in 1986. Sudan is not yet a party to the Optional Protocol to the International Covenant on Civil and Political Rights (A/RES/2200 A (XXI), 16 December 1966) nor the Second Optional Protocol to the International Covenant on Civil and Political Rights (A/RES/44/128, 15 December 1989). In the interview, Malik is referring to the first of the two Protocols. see United Nations, *The United Nations and Human Rights: 1945-1995*, The United Nations Blue Books Series, Volume VII, Department of Public Information, New York, 1995. p.507.

working very hard to ratify all the ILO, International Labour Organisation's charters and everything because of the trade unionists movement in Sudan has been noted for being very strong. One of the strongest in the Middle East, you know. Even aaahhh...you say now [that] as the third generation of Human Rights, the Right to Development. It's the third generation. As you say the first generation is Civil and Political Rights, the second generation is the Economic, Social, and Cultural Rights. So, the Right to Development, which is now considered to be the third generation, and you know it was by that Senegalese writer...in the late 1970's. I told him at one conference that this Right to Development has been, came, and demanded by political parties in Sudan since the early 1960's, when they were saying in their programs, we have to develop Sudan through the rights of the Sudanese people to have a better share in development; especially the South. And you have a very prominent leader in this, Joseph Garang, who was killed by Nimeiri in 1971. He was made minister...of social affairs in the South, and then he was hanged by Nimeiri with two other guys and some communists in 1971, OK. That one, he has a paper about development in the South, and indeed he was claiming and talking to some extent about the Right to Development for the people of Sudan, especially in the South. OK. So, that's why I'm saying the Sudan, as a civil society, had been well versed and integrated, and with acceptability and accessibility to having more of Human Rights international norms. Had it not been for the military coups which occurred in Sudan several times; now we are at our worst standard of Human Rights in Sudan because this military coup is not only made of military

generals or whatever, but it has an ideology which is very much anti-democratic and anti-peacefulness."

Influenced by his academic background in political sociology, our discussion centred not on the current political situation in Sudan, but on Sudanese political history. His main point was to stress that the notion of "Human Rights" is not a new notion within the greater Sudanese political arena. Malik has always been very supportive of my research, and he continues to keep me up to date on the latest news regarding the "Human Rights" situation in Sudan.

David (Madinet Nasr: 5 October 1994) No.6

Since there were many guests at David's home, who were listening to Zairian music at an exceptionally high volume, the interview had to be conducted in his office with the door shut. We talked mostly about the SPLM/A and survival strategies of the displaced Southern Sudanese and Nuba. I was very surprised at how open he was in discussing his activities in the SPLM/A. It could have been my imagination, but I felt our meeting had a secretive element to it. I am sure it only felt that way to me because he certainly would not divulge any secretive information given that we just met that day. The topic of "Human Rights" seemed to be overshadowed by the civil war. When the conversation veered towards the Nuba people as an indigenous people and himself as an indigenous Sudanese, I wanted to know an 'indigenous' Sudanese definition of "freedom".

Personally, what does "freedom" mean to you?

"Freedom means...as I have been born. To live on my own. And everybody should respect me, as well, I have to respect the other one. You got me. I should be respected in my behaviour, in my work, for my wishes, my ideas. I have to respect the other one, as well I need him also to respect me."

"I have been created as a human being. I don't [want to] be looked into that I'm a second class citizen. I don't want to be looked as a superior. I want to be proud of myself."

After we finished the interview -roughly seventy minutes in length- I stayed at his place for another hour watching SPLM/A videotapes with his guests and flatmates. It was a very sociable atmosphere, and a chance to relax with SPLA fighters. In the end, I can say I learned more, at one particular setting, than ever before about the SPLM/A.

Abdul (Cairo: 8 October 1994) No.7

The interview was conducted at the UMMA Party office with Kareem helping out by translating my questions and Abdul's answers. Although he claimed otherwise out of modesty, in relation to all other interviewees, Abdul is academically well versed in *Sharia* and 'international' definitions of "Human Rights". After discussing Abdul's life in Sudan, the culture of the Beja, and his interest in the UMMA Party, I could resist temptation no longer. I was very interested in his opinions on *Sharia*.

How does Sharia (Islamic Law) compare or contrast with International Law?

"There is nothing in international law which contradicts or goes against the Islamic *Sharia*."

What are your opinions on "Human Rights" law within the United Nations?

"...for where I live, there is nothing clear in international law to provide for minorities. The most important thing is that it provides for minorities. The international law doesn't know the internal situation of the country (Sudan). As a Beja, if I consider myself speaking for a national group, there is no conceptualisation or anything to solve the problems of minorities inside the country."

I know the question of freedom to change one's religion is very sensitive within Islam. It is this sensitivity which I thought would enliven our conversation, not that the conversation was stale. Abdul had much to say on the issue, though he would later contend he was not fit to answer such questions because he is not an expert on the subject.

What are your personal feelings about the freedom to change ones religion, a "freedom" protected in United Nations documents?

"Religion is the conviction of a person and the strength of his belief on the inside, whether he is aware of it or not. My personal opinion is that religion is conviction. Even so, if a person is in doubt or doubts his creed, and remains in his religion,...it does not help. It doesn't help to stay on as a Muslim [if one has doubts]."

Can a person change their religion?

"No! What rationalised the steps for killing the apostate were the new religious people. The apostate weakens the community, and

that is why they killed him. Modern approaches,...some scholars say if the apostate is a monotheist, and is not causing the Muslim community to divide, then he should not be killed. But my own personal opinion [is that] I don't accept that someone should switch from his religion. But in religious interpretation, it (conversion) exists; not killing the apostate. This is something I'd rather not give opinions about...-issues like this. I am not familiar enough with this topic."

How about conversion in Beja history?

"The Beja never entered any religion until after a struggle against it. So, with Christianity, they were the last to adopt Christianity...because they resisted it. In regards to Christianity, they adopted Christianity late,...after four hundred years [of resistance]. Of course, with Islam, they resisted it..."

"I think this (conversion) depends on the person and his attachment to his creed. Whichever religion he has, if his attachment to it is weak and he... [has] questions raised to which he cannot find an answer, this should make him search and to find the answers somewhere else -for example, another religion. But I have nothing to doubt, nothing I can't find an answer to. I know even in other religions, there are reasons which cause them to divide. So, in comparison with other religions, Islam is a curer of or encompasses all religions."

How do you feel about conversions into Islam such as the former boxer, Muhammad Ali? [435]

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[435] Until Evander Holyfield defeated Mike Tyson on November 19, 1996 for a version of the 'world' heavyweight boxing championship, Muhammad Ali (formerly Cassius Clay) was the only three time heavyweight champion. Muhammad Ali is arguably the most

"Obviously it is good. He came to believe in the Islamic religion. There are things apparent in Islam from four hundred years ago which are not dealt with by other religions. In Christianity, all these divisions you get are the result of interpretations. At certain points, on certain things...different groups interpret differently,...then you have certain divisions. Islam is all encompassing. Part of this all encompassing [nature] is that it believes in the previous religions (Judaism and Christianity), all of the divine books (Old Testament, New Testament, and the *Qur'an*), and [all the] prophets, unlike Christianity. Well, for example, the Jews and Christians...don't believe in what came after them. Islam considers the previous religions and adds [to them]."

"Christianity is not all encompassing; neither for the religions that came before it, nor after it. And maybe the reasons lie [with the fact] that he (Muhammad Ali) didn't find one Bible or book which unifies all Christians; because the Bible has been infiltrated with bad [and multiple] translations. Maybe the seeds of this are from the beginning [when] issues were not concerned with religion."

The Old Testament teaches on the philosophy of, "An eye for and eye, tooth for a tooth"; whereas the New Testament teaches if one is struck on one cheek, you offer the other. Which one is closer to your beliefs?

"What is meant by this (the latter) is forgiveness and the endurance of unjust pain to gain justice and favour with God. But practically, this doesn't exist. Even amongst Christians, this doesn't

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famous convert to Islam this century, and certainly the most famous convert from the world of sports.

exist; even though Christ said this. If you hit someone he is going to hit you back. Isn't that so? So I believe this is an exaggeration to convey forgiveness and the acceptance of unjust pain to be rewarded by God's favour, but practically this is not followed by anybody. If you go up to someone and slap him, will he give you his other cheek to be slapped?"

Abdul then added:

"That I say I don't accept [conversion] is personal -separate from a logical understanding. [It is] an instinct. But in the end, Islam calls out to people (accepts converts)."

After a good half hour discussion on religious conversion, which included him asking me questions about my personal religious upbringing and beliefs, the topic shifted to the role of religion in politics. Once the topic of religion was exhausted completely, I backtracked to inquire more on his future; whether or not he intends to remain in Egypt or return to Sudan. Remembering from early on in the interview that he mentioned he could not return back to Sudan in the foreseeable future because of the current political situation, I asked him the following questions.

What does "freedom" mean to you: in words, ideas, or whatever comes to your mind?

"Freedom means life."

What in life gives you "freedom"?

"The elements of life depend on freedom. Life is not complete without freedom. In the absence of freedom, life is not complete; because if a person is not free, he cannot go on with his life."

Do you personally feel "free" here in Egypt?

"I disagree a bit that I'm free to a certain extent because the freedom you find in another country limits you to the life of that country. That's why it's only to a certain extent. So, any freedom you find is not of the same quality as in your own country."

I think both of us were exhausted after the interview. Though, it turned more into a debate at times, it always remained friendly. As I mentioned before, the topic of religion can be very sensitive. Abdul and I did not let our emotions get the best of us, and a mutual respect for each other's religious opinions was constant throughout. I must admit, I had been looking forward to this conversation from the time I had met Abdul, several days earlier. Of all the interviews, it was my meeting with Abdul where my agenda was followed most closely. As mentioned earlier, my primary interest in meeting with Abdul was to discuss *Sharia* in relation to 'international' "Human Rights" standards. He had absolutely no objection to such a discussion. Over the next couple of months, I had the opportunity to meet with Abdul on many occasions. Almost every time we saw each other after this interview, we joked around; in direct contrast to the very serious nature of this discussion.

Ghaali (Hadayek El Zeitoun, Cairo: 9 October 1994) No.8

Although there were at least ten guys in the flat, I met with only four of them. All four spoke varying degrees of passable English, but Ghaali did most of the talking, and answered all of the questions presented here. The interview was conducted in their common room, which provided a lively atmosphere. The television

was on, the radio was playing, and the car horns were heard honking in the rush hour traffic.

For the first hour or so the discussion revolved around the role of cattle in Nuer culture and Nuer involvement in tribal and political divisions in Southern Sudan. We talked in detail about the different aims of Sudan's two main Southern rebel factions -SPLM and SSIM. All four are ardent supporters of Riek Machar in his fight for Southern Sudan to break away from the North and form its own state. The conversation moved on to discussing the role of the United Nations and United States in helping to end the Sudanese civil war. Comparisons were made with United Nations and United States actions and involvement in other global "trouble spots". On the issue of whether or not there should be some external intervention in the Sudanese civil war, I raised the question of whether intervention can be justified in the Sudanese case on grounds that there are violations of "Human Rights". All four strongly support external intervention, and feel that the United States should play the greatest role. In regards to the United Nations taking action on behalf of the Southern Sudanese on grounds of "Human Rights" violations by the Sudanese government, I wanted to know how they felt about the "Human Rights" standards preached by the United Nations.

What are your thoughts on United Nations standards of "Human Rights" as stated in their documents?

"So, according to these, most of it what's called democracy or what we call freedom is the best thing in the world,...religiously and all these things. You can [include] religion also. [One] cannot tell

you to go this way or don't go this way. It will tell you just to advise you, not to come and tell you or to force you to do this. In the American...freedom of religious activities, I think there is something I disagree with, like homosexuals. So I heard through the media, but I did not see....that there is a priest who married...a man and another man. I think it happened,...so if the government or the churches allow this thing to happen, I will think it is wrong, a very big wrong according to the religious activities."

How is it wrong to the religious activities?

"When you allow certain things to happen in the church, so if you (the government) have no powers, so according to the religious denomination, we cannot use force or compel people to do that (homosexual marriage) because it was allowed to take part or to take place. That's why it happened, because...I did not hear something like this was opposed or something like this."

"On the same level also, I think if it is possible, the American government must treat all the cases in one label, so if it agrees with those who are calling to help the Kurdish rebels in Iraq and to liberate Kuwait...invaded by Iraq. And also, to ban mass destruction, and to do with all which are against the Human Rights. It must treat all these problems in the same way -as we in the Southern Sudan. I can think we have the right."

Ghaali is a practising Christian, and highly influenced by institutional Christian morals. I know this only because Ghaali and I have remained friends, and have shared with each other personal thoughts and ideas. Throughout the meeting, Ghaali was very graphic in explaining to me the human suffering caused by the civil war. He

is a very emotional speaker; especially when describing the plight of the Nuer people; as he says:

"I'm here (Cairo) because of education, because it [is] my only ammunition for my life,....[that] I'll be educated. I will try to take up what I have not seen, I will see later...when I've been well educated. So, after I finish this, I'll try to look for certain cases. So, if the Northerners will not change their policy against us, what can I do? Because my people, who I am educating for to help...so I was put in school to help my people. After I finish, what can I do? If I will get them...they're suffering the same way, so it is better to be killed. Also if you're seeing your people are making (looking at) you in a bad way and you're educated and you know this, it is the worst thing in the world -to be humiliated. You, yourself and you're educated, and your people who are not. To be humiliated in front of you..., it is better for you to be killed. It is better than...if you are seeing something...which is done for (to) your people. It seemingly is good."

He really paints a bleak picture of his own situation. I cannot blame him, for many of his close friends and family have been killed. He has not seen his parents in years, and he has learned to survive on his own and with others in exactly the same situation. Ghaali concluded the interview with the following words:

"For me...if I'm now speaking to Clinton now, I'll tell him not tomorrow, [but] from today my people are dying from all these things -catastrophes, wars, and famine and all these things. I can tell him now we can't go to [the] South because now I'm studying, I have no power. Even [when] I will graduate, I will not have power. What can

I do? I will pray for God to help me because He's the greatest power to help...solve all the problems. What can I do? I have no power."

This was the first interview where the interviewees focused heavily on my Americaness. Though they did not have a written agenda on which topics they were interested in discussing, they seemed to link most of the issues I raised with the "United States". Could Ghaali's concluding remarks -"I have no power"- insinuate that the United States could help in empowering him?

At the conclusion of the two hour interview an argument broke out between the Nuer guys and Kareem, who had accompanied me to the interview. The dispute was over statements made by the Nuer guys that the UMMA Party and DUP are no different from the Sudanese government currently in power. It is this rationale which they use to support their aims of separation. They feel that as long as Sudan remains united, the Southern Sudanese will always be dominated by a Northern based political party which suppresses their rights. Kareem, as a member of the UMMA Party, is working in opposition to the current government of Sudan. He took exception to these comments, and denied that the UMMA Party would treat the Southerners unfairly. The argument remained semi-friendly, for at the end we were all able to laugh about it and share some tea. Before leaving, I was handed literature to read on Nuer culture. They loaned me some writings of Evans-Pritchard (sections of *The Nuer*). Ghaali and his friends are very conscious of what has been written about their culture and people.

Over the next couple of months I became friends with many of the Nuer from this group. We were roughly the same age (twenties),

studying in university, and interested -to varying extents- in Sudanese politics and society; so we had many things in common. Even when not talking about Sudan or "Human Rights", we spent considerable time together. I am happy to say that a few are now in the United States. Sadly, Ghaali is not one of them.

Amir (Cairo: 12 October 1994) No.9

Since Amir is an officer in the SPLA, I was very eager to ask him what support (for example, financial, military, media, etc...) the SPLM/A was currently receiving from abroad, and what support they are hoping to receive in the future. To take this one step further; what justification would an external entity have for meddling in Sudanese affairs (such as supporting the SPLM/A)? "Human Rights" violations? We talked on these topics, as well about external support (such as financial, military, and moral support from Iran, China, and Iraq) to the Sudanese government, and how the international community should respond to the overall situation in Sudan, especially the civil war. After we finished with these topics, I was keen to hear his personal opinions on "Human Rights", and "Human Rights" enforcement.

How do your personal ideas on "Human Rights" coincide or conflict with what is written in United Nations documents?

"I think this matter of Human Rights is a delicate and complicated matter. And what is important is always the practice, not the Charter [of the United Nations], not [what] all people are saying. In our country, there is no way for any system to respect the

Human Rights...of citizens, unless this system [has] been a democratic system where there are mechanisms, where there are chances of correcting any Human Rights violations."

..."Human Rights" violations based on what standard?

"The standard of the Human Rights; there are a lot of discussions these days whether the measures which have been adopted by the international community, whether they are measure(s) which are concerning only the white man, whether they are contradicting our culture, our tradition. I think there could be an international standard of Human Rights which [is] based on the respect of the dignity of the human being. I think also sometimes...in our area here there are some people who are using these slogans of keeping our culture, our religion, just to escape, not to be punished with what they are doing...like now the Muslim Brothers, the fundamentalists all of them, they are raising (speaking out) that this international standard is against our culture. What I think, it's not true. Aaahhh I think people, they can agree....on [a] certain standard for Human Rights."

What about the international community's role in enforcing 'universal' standards of "Human Rights"?

"I think the international community has an obligation when there are some governments which are committing atrocities against their people. There should be somehow a clear position from the international community regarding these violations. And nowadays, it is not easy, not like before...to kill your people, to massacre your citizens, and then the world should stand and not talk? There are two different things. [First] the international

community takes certain measures (for example, sanctions) against regimes which are committing atrocities, and then, military intervention. I think they are two different phenomenons. If the international community is concerned with any Human Rights violations, any atrocities being committed by individuals or governments against their citizens, they should take a major role which could help stop these violations and atrocities. Whether this means there should be a military intervention [on the part of the international community], that is a different topic and it can be discussed concretely when we take each case alone. The case of Sudan is different from Bosnia. The case of Bosnia is different from Somalia. The case of Somalia is different from Kampuchea. And so on. The case from Kuwait is different from the case of Haiti."

What words or ideas come to your mind when you think of "freedom"?

"Freedom means the situation of dignity for the human being, regardless of his religion, social background, and race. That's what comes to my mind. People should be equal. Equality. Freedom means equality. If you want me to put it in one word."

We talked for a while longer on his own background and on the North/South (Arab/African) dichotomy in Sudan. He identifies himself very strongly as a Sudanese national. Tribal, ethnic, or racial affiliation did not seem to have much meaning or significance for him. Regarding Sudan's North/South divide, he was quick to give his opinion that the division is a colonial concept.

Though the interview was rather short -thirty minutes- because of his tight schedule, I learned more than I had expected. He

was very open on his personal thoughts. This is not so usual amongst the officers I have met from the SPLA. In other words, they have not always been so frank with me.

Rakiya (Cairo: 13 October 1994) No.10

Rakiya and I first discussed the power of Sudan's present government. By power, I mean their influence and/or control over the people. She remarked that the people are intimidated more than scared. Regarding the issue of organised opposition to the government, she stated that the collective opposition has to admit to internal differences, and that these differences only weaken the opposition's effectiveness. We discussed further the issue of external support of the opposition, and justification of that support on grounds of "Human Rights" abuses in Sudan. She strongly supported sanctions against the government but not military intervention, citing the problems which occurred in Somalia. In answer to the question of whether the United Nations standards of "Human Rights" coincide with her personal beliefs, she explained:

"Generally speaking, yes. They (United Nations standards on "Human Rights") conform to what I believe to be a Human Right, but again, inside this there is this specificity of different countries. I mean, like you mentioned earlier...it's up to you to change your religion whenever you want to, but according to [my beliefs]....I cannot enforce that (freedom of religious conversion) in a Muslim country like Sudan, because it will be more detrimental to the social set-up because there is this very strong belief. When you enforce

something that contradicts to the peoples' value, you bring more harm to that."

What ideas does the notion of "freedom" bring to you?

"It's (freedom) like going home. Well, it's just because of the condition I'm in, I cannot go home. I can, but if I go there I know what will happen to me. The concept of freedom I don't think it's very much different from....[the] concept of freedom of anybody else. It's like, you are free to do whatsoever condition that you do not jeopardise others' freedom."

The interview was very much like a friendly, yet highly formal, discussion. It was rather slow in the early going as she was not too keen on talking about herself. As a former government minister, she was highly diplomatic in manner. The topic of religion, however, livened up things a bit. We almost got into a religious debate regarding the issue of conversion in Islam, but I did not feel it was in my best interests to push her too strongly. She is a very respected lady, and others were in earshot of our conversation.

Albert (Cairo: 13 October 1994) No.11

Given that Albert is a 'professional' spokesperson, his verbal communication skills were evident with lengthy explanations and comments to many of the questions I addressed to him. I do not know very much about the Southern Sudanese political parties, so for the first forty-five minutes he explained to me their history, their role in current political opposition, and their relationship with Southern Sudanese based opposition movements such as the SPLM/A and SSIM/A. Unlike the opposition movements, the Southern

Sudanese political parties do not have armed wings. On the other hand, the parties do not discourage the use of taking up arms against the present Sudanese government. Albert went on criticise the Sudanese government's "Human Rights" record, stating:

"....the government onslaught against Human Rights in the country;...that the government of Sudan is doing things against its own citizens that would not be acceptable to any society that believes in equality, justice. We explained to them (the international community) that the government is imposing its Islamic ideology on people who are either not Muslims or are not believers in the religious system...ruling the country."

We talked about the role of the international community in supporting the Sudanese opposition to overthrow the government on the basis of "Human Rights" abuses against the Sudanese people. The next issue was whether international standards of "Human Rights" were compatible with Sudanese peoples understanding(s) of "Human Rights".

How do you feel about the definitions of "Human Rights" as stated in United Nations documents; and what about their applicability to Sudan and its people?

"Basic principles have been accepted universally, and at the heart of these principles, are Human Rights. And Human Rights are anchored in democracy, freedom of speech, and equality of the people. It is on this basis that we feel that the international community can help our cause if we convince them about the fact that the government that's ruling our country, is violating all these

basic principles that the...new international order has come to adopt and take for granted."

"They happen also to fit into our own traditional various systems, because in the past before our various tribal groups were made to come together and make a nation by the colonial powers, each of these tribes had its own value system which it followed in ruling itself. And almost all the tribes I know in the South had systems that you could in the end define under these principles that have been adopted in the Human Rights bills. And for example, in my tribe, the Dinka, human life is sacrosanct. It's the ultimate value. The preservation of human life is the ultimate value. Fighting over something, quarrelling between individuals within the community is understandable, but the society always works to strive to stop it, or prevent it. And the methods of stopping or preventing it differ according to the nature of the quarrel and according to the instruments being used. For example, if two people fight, and one of them kills the other, in our society the aggrieved party would not be allowed to try to seek vengeance. They might be able to succeed in [achieving] vengeance, but it is not allowed by the traditions of the society. What would be done is to make...good what has been damaged. For example, if X kills Y, then the relatives of Y will be prevented from trying to kill X, and instead the society will impose a compensation on the killer. What is called "blood money". (For example, a number of cattle.)"

This sounds like "to right the wrong"?

"Exactly! Right the wrong by paying something in value to the people of the aggrieved. And this is on the basis that if that man, if

the dead person were alive, his value to his family and community would be...[as] a productive member of the community, and therefore his life would benefit people in material ways that could be seen. The family of the killer would then be asked to pay for damages, which in my tribe for example would be assessed at fifty heads of cattle -flat. That standard is basic for everyone, whether you are rich or poor. If you are poor and don't have cattle, society will impose on all your relatives to collect the amount needed. And this was in a way meant to strengthen, first of all, family ties, and impose public responsibility on the community so that anyone doesn't feel today that he can do something against another individual, and that there will be no consequences for other people; so that there is self control, community control, etc... This is just an example showing you that the value system that is today adopted by the United Nations was there."

Almost like a healthy balance between individualism and communalism?

"Exactly! Exactly! Number two, one of the other advantages that used to be there was that, and this is an interesting point for an anthropologist I view, is that nobody in our traditional societies are described as animist -people who worship things that are not [God]. Well, from our point of view that's an incorrect definition, because animism means worshipping objects, physical things that are not God. In our societies, most of the societies and I not speaking only about my tribe, people know God, and God has a name in almost all these languages. And what people used to do, and this is another way of looking at God, is that the human being considers himself so

small, and so inferior to God, that he needed a middle,...something like a spirit or whatever you call it that should be used by man to communicate with God. And so, by their own understanding if there were certain people believed to have spiritual powers, there were certain things that were brought up through history to have certain spiritual values. These, they adopted, to use as methods of communication with God, and one of the ways they did it was that if somebody, for example, fell sick in the family, they would go to that mouthpiece and say, so and so is sick, what do we do? He would say, "okay make a sacrifice for him. Kill a ram, kill a goat". We must take whatever. That would be brought, and the first thing he would say when they are about to slaughter the sacrifice is call the name of God, not the name of the local mediator -whichever you call it. Now, I'm saying this because the issue of freedom of religion comes in here. In our society, there was no common religion that tied everybody. Each family or each clan could choose to select its own middle spirit through which they could communicate with God. And then they make their own special rituals. Another clan makes their own herbs with a different kind of system of rituals,...because when somebody says God is the creator of people, but they say we can't see God and we don't know where He is, but He is probably somewhere, up there (pointing up) seeing everything. Then these are believers in God...and they fear because if the spirit, the people who are supposed to interpret the language of man to God, say that God is angry with you because of this and this, and so you must do this. And they do it. Like offering a cow to be slaughtered. These are God

fearing people, because otherwise if they didn't they would say "rubbish -don't believe"."

"I'm using this to elaborate one of the basic principles in our Southern community. That is freedom of religion; nobody ever tries to force another person to do...religious things the way he wants; which ties in to the international value of freedom of religion which is also enshrined in the Human Rights covenant. That's the point I'm trying to make."

Maybe you feel you have answered this already, but I want to ask what thoughts and ideas you have of "freedom"?

"What freedom to me means is not being forced to do something against my conscience. Freedom means not being mistreated by another human being. Freedom means not being compelled, I mean, to do a criminal act against another human being, and so on. Freedom means not infringing upon the rights of other people. And being unfair."

In discussing "Human Rights", Albert emphasised the similarities between the "basic principles" held by the Southern Sudanese with 'international' standards of "Human Rights". His chief point was to indicate that the values held by the United Nations were in unison with those of the people of Southern Sudan. Our discussion continued on to (and finished with) topics such as how the Southern Sudanese are coping with life in Egypt and distinctive aspects of Dinka culture, for example their special reverence of cattle.

Magid (4.5 Kilometres: 18 October 1994) No.12

Hussein and I took a micro-bus out to a suburb of Cairo called 4.5 Kilometres. This name simply means that the town is 4.5 kilometres outside of Cairo. 4.5 Kilometres was at the end of the micro-bus route. Upon exiting the micro-bus, we headed over to the nearest *qàhwah* (café). The waiter who served us was a Sudanese, and we immediately initiated a conversation with him. After explaining what my research was about, he agreed to an interview.

The *qàhwah* was crowded with about one-hundred men watching Kung Fu movies. The volume of the television on which the movies were shown was extremely loud, but because everybody was so distracted in watching the movies, the interview felt as though it was conducted in a rather private setting.

We talked largely about the situation faced by unrecognised Sudanese refugees in Egypt. Magid complained that the Egyptian government needs to be forced by the United Nations or powerful individual countries, such as the United States and the United Kingdom, to assist those Sudanese in need. He told me that the Sudanese people have a poor image in the world because of the country's links with terrorism, such as, the Venezuelan, Ilyich Ramirez Sanchez (Carlos) and, the blind Egyptian cleric, Sheikh Omar Abd al-Rahman. Since he left Sudan the year before the military coup, the information he receives about its political situation comes from his contacts with family and the media. He admitted that he did not know too much about what was currently going on in Sudan, except to say that life has been getting increasingly difficult under the present administration. I next tried to bring up the issue of

"Human Rights", but before I could finish the question he began to answer.

The question of "Human Rights"...

"You believe me, I know Human Rights only in magazines or newspapers -only that. These [Human Rights] organisations...I don't know where they are here in Cairo. I only know about this Human [Rights] question from the newspapers or magazines or from watching the television."

Does "freedom" mean anything for you personally?

"For me...education, health, good food, work. That's what freedom means."

Are you happy with your work here [in Egypt]?

"No! I'm not happy working here [at the *qàhwah*]."

Do you like the food here? (My joke!)

"No! But, what I mean by freedom is not that regarding food. What I mean by freedom is freedom (hypothetically) if I was in Sudan; if I can read, have a good education, work well. Don't you agree (speaking to Hussein)! If I have good health, and there is enough food and clothes...this is what freedom means for the Sudanese person."

Is there a nation which represents your ideas of "freedom"?

"From the experiences I have lived, the United States for example. Freedom means the democracy like in America. You have the right to discuss what is correct and what is wrong. They (United States) have a constitution which I respect very much and it is something I wish everybody had. The Constitution protects the

peoples rights while at the same time the people carry out their duties for the country. This is the reason why it (U.S.A.) is an advanced (for example, technologically) country. It (U.S.A.) respects the human being, his feelings, and his wants. These are the reasons it is advanced. This is my opinion in general."

We spoke for another ten minutes about the problems faced by the Sudanese living in Egypt. That this topic dominated the discussion makes perfect sense because he has been working so hard for the past six years just to survive in Egypt. This is also a statement that he is willing to put in many hours of work to barely make ends meet in Egypt so he does not have to return to Sudan.

It could not be more obvious from Magid's words that my Americaness played a strong role in the way he spoke with me. Nonetheless, he was very honest in admitting that he knew very little about the term and notion of "Human Rights". In lieu of this, and because he probably felt it was what I would most like to hear, he spoke very highly of the United States and the 'freedom' it offers.

His English was minimal so some of my questions were translated into Arabic by Hussein. As well, because Magid switched between using Arabic and English when answering questions, Hussein helped me several times to understand what Magid was saying.

Kamal (Cairo: 23 October 1994) No.13

I had met Kamal many times before the interview, for we had always talked about arranging for a suitable time to meet. Though he frequently told me of his keenness on getting together, he always seemed to have other more important things to do. When we finally

did have a date set, he did not show up, for reasons unknown.[436] Finally, the following day (the day after our scheduled date), I got my chance to interview him at the UMMA Party office. It was purely by coincidence that we met there that day; but as soon as he saw me, he sat next to me and asked me to interview him. From the very beginning, though, everything was all rather strange as he chose to answer my questions in Arabic when he always spoke to me in very good English. In addition, he chose not to answer my questions directly, but go off on tangents. The few questions he did answer directly were in an Arabic that mixed between being inaudible and extremely confusing. A Sudanese friend whom I played the interview for told me that he deliberately spoke in such a manner so I would not clearly understand what he was saying. The person who helped me translate the interview for transcription told me that it sounded like he simply did not want to be quoted -even though we were recording the interview. Whatever the reason for his actions, I felt in an awkward position during the interview. The result of his tactics was that I learned almost nothing about his own life and opinions on most Sudanese political and social issues. The only question at our half hour meeting which he appeared to have answered honestly, slowly, and in full, concerned his definition of "freedom".

"Freedom"! The word or idea; what does it mean for you personally?

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436 I asked Kamal in as nice a fashion as possible why he missed our appointment. He responded simply by virtually ignoring my question and talking on other subjects.

"*Hurriya* (Freedom)! Freedom of thought. Freedom of movement. Freedom of the press. Freedom of assembly. Freedom to demonstrate peacefully. Freedom to express your feelings and opinions. Freedom...with total freedom. With no pressures from the government or any other authorities. Without the "don't do this", "don't do that", "don't do this". Without these oppressive, violent, and forceful ways. General freedoms are, if you want to educate yourself, you can. If you want to write something, write it. If you want to assemble, assemble. If you want to be in contact with a lot of people...and all these general freedoms. If you want to form a political party or any type of local political organisation, form it."

I am not one to make character judgements, but his behaviour at the interview really shocked me. This later changed when I found out that this interview took place just days before his defection back to Sudan. I was not the only one he was keeping secrets from. The aspect of my Americaness comes in with his answer to my question inquiring about his definition of "freedom". His response was straight out of American political documents on civil rights -especially the first Amendment of the Bill of Rights.[437] He said exactly what he believed I wanted to hear and could relate to.

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[437] The first Amendment of the American Bill of Rights states:

"Religious establishment prohibited. Freedom of speech, of the press, and the right to petition.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peacefully to assemble, and to petition the Government for a redress of grievances."

see Robert Famighetti (editor), *The World Almanac And Book Of Facts: 1996*, Funk & Wagnalls Corporation, Mahwah (NJ), 1995. p.519.

John and the Guest (Kakuma: 4 November 1994) No.14

I was escorted to this interview by Richard Deng's assistant, Joseph. A couple of people were waiting for me, including John. A small crowd quickly formed of about a dozen, and later to over twenty. Most of the crowd (all refugees) were hanging about as spectators, for only one person joined John and me in the discussion. Chairs were already set-up outside John's mudhut when I arrived.

There were no long greetings between us, nor many questions from him -which was rare- regarding exactly who I was, and why I wanted to speak with him. We went headlong into the actual interview. Within ten minutes of our introduction, and after making it a point to say he was not interested in politics -another rarity, we began talking about the United Nations and 'international' standards of "Human Rights".

Do you have any thoughts on United Nations "Human Rights" definitions?

John: "Well, I do agree [with] what [the] United Nations has been to humanity,...let's say you monitor especially those who are suffering. But ah, the humanitarian is according to UN law [that] each person gets [to] their capability, let's say [the] capability to know something, or even be responsible for something in his own country. So, what we need the UNHCR to [get] involved [in] is [for] the UN to let the woman also to be a woman, and also to share the same thing what men are doing...and all this.[438] So, humanitarianism ("Human Rights") in Sudan is down."

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[438] John's statement gives an indication that he is supportive of women fighting for the achievement of equality -in social status- with men; particularly in the case of Southern Sudan.

Just you personally, what do "Human Rights" or "Human Freedoms" or "To be Human" - What does that mean to you personally? Whatever words or ideas come to your head?

John: "Well...actually I have none, and even I have not come across humanitarian affairs."

I could tell that John was not in familiar territory when discussing the topic of "Human Rights". His friend had been waiting for the right moment to intervene and have some input into the discussion. Before I could finish the next question, he seized upon the opportunity.

For you personally, "To be free", "To be human",...?

Friend: "That is to be free...to practice his own laws, to practice his own identity, to practice his own culture, and everything. That is the freedom....as an individual, as a tribe, as a family, as a country."

Do you feel you are denied these in Sudan?

John: "Yeah! We are denied them completely."

Friend: "Like what he says (in reference to comments made by John at the very beginning of our meeting), they have been forbidden to practice Christianity, yeah. And in the North, people have been cut -limbs. In Sudan there are no Human Rights."

John had told me earlier that students at his school in Juba were forced to convert from Christianity to Islam, and that they had to sit exams on the Islamic religion. He exclaimed emphatically:

"Sudan belongs to the Blacks!"

"Sudan is for the Blacks!"

Both of these statements were made by John during an intriguing part of the conversation regarding Northern based political parties such as the UMMA Party and the DUP (Democratic Unionist Party), during which John commented very assertively:

"They are Arabs, and Sudan is not their place."

I remember this particular statement very vividly because he said succinctly what many Southerners, though supportive (or at the very least, sympathetic) to the cause of any one of the rebel factions, only express in a much more convoluted manner.

I must admit, the scene (or setting) was all very strange for me. I had the feeling throughout the interview that I was taking part in a play. The chairs were situated facing away from John's mudhut, directly in front of the spectator refugees. The mudhut and surrounding trees provided the scenery; John, his friend, and myself were the actors; and other refugees were either 'extras' (sitting next to us, but saying not a word) or formed the audience. As soon as we, the actors, were finished, the audience dispersed and went back to their regular daily routines.

The actual academic part of the discussion was very brief, but meeting with him was for me more an introduction to the refugee camp. I noticed as the interview progressed that more and more people were coming to take a look at what was taking place, or to be more precise, to look at me. The refugees were so curious as to what I was doing talking with their 'brother'. Walking around the camp, Ugandan children shouted *"Mzungo"*, while the Sudanese

children yelled, *"Khawaja"*.[439] These terms usually refer to "Whites" or "Europeans", especially when they are considered an oddity or strangers. These were obviously voiced at me because not many *"Mzungos"* or *"Khawajas"* walk around the camp. Refugees approached me from every direction; some asking for help,[440] most just wanting to talk.

Robert and Company (Kakuma: 5 November 1994) No.15

Upon punctual arrival at the precise mudhut, I found roughly a half dozen people (all young men except for one woman) waiting outside. I think this meeting was as big a deal to them as it was to me; or it could have been the coincidence that as I arrived there was a Sudanese parade passing by. Regardless, there was excitement in the air.

This interview consisted of myself and eight Taposa men sitting inside the mudhut of Robert and his family. I do not know a word of the Taposa language and seven of the eight Taposa only spoke their own language.[441] This meant that the one remaining man

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[439] I became familiar with the term *"Khawaja"* in Egypt from the Sudanese. I had been told that it was first used in Sudan to refer to the Turks, during Turko-Egyptian rule (The *Turkiyah*). Later it was used in reference to the British. In general, the word is used in Sudan to refer to "Whites", "Christians", and/or "Europeans". The term is widespread throughout the Middle East. I was told by a Ugandan friend that *"Mzungo"* literally means a "White person". This was partially contradicted by a Kenyan friend who said that *"Mzungo"*, though generally used to refer to "White people", really means people with money (or power). In other words, a Japanese could be just as much a "*Mzungo* " as any "White person".

[440] By "help", I am referring to refugees who thought I had connections with the UNHCR in order to get them extra supplies (such as cooking ware), medicines, a job at the UN compound, etc... Only on the rare occasion did a refugee ask me directly for money.

[441] I was lead to believe that everyone in this group, with one exception, all only spoke Taposa; but truthfully, I cannot be one hundred percent positive that none of them spoke another Southern Sudanese language. I did ask them about their spoken languages, but all I was told was that they could not speak, read, or write English and Arabic.

(Robert), who knew a fair amount of English, would be the spokesperson for the rest. Most had so much to say that the meeting was quite chaotic. Everybody seemed to be trying to speak louder than the other. Robert acted as the leader, and would discipline the others constantly for interrupting him when he was speaking with me. This did not cause problems as much as it was entertaining. A few of the guys seemed to enjoy deliberately agitating Robert; smiling as they were talking over him.

The format of the interview was usually me asking questions that would be translated into the Taposa language, which then were answered by those who had something to say; many times this was everybody. Their answers in turn were usually summed up by Robert. His answers represented a compromise and group consensus, as there was no way for him to possibly translate everybodys' answers individually because of the chaotic nature of the meeting. Robert's personal opinions, though, seemed to carry the most weight. The conversation, at their urging, always shifted persistently away from discussing Taposa culture into Sudanese politics. The reason later became very obvious, for these young men -all in their twenties- were fighters (and ex-fighters) in the Sudan Peoples Liberation Army. We did speak about "Human Rights", but only within a larger discussion revolving around Sudanese politics and the civil war.[442]

They were openly anti-Arab and anti-National Islamic Front. As a whole the conversation mainly consisted of them giving me

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[442] Two days later I met again with a group of young Taposa men. This group was not identical with the first; for half of them were the same, while a few new guys joined us. This group conversation revolved mainly around the topic of Taposa culture, while issues pertaining to "Human Rights" remained completely absent.

reasons explaining their anger against [Sudanese] Arabs by making comparisons -indicating divisions- between Northern and Southern Sudan along political, religious, linguistic, and racial lines; and from these comparisons, attempting to convince me that the cause of their (SPLM/A) fight, self-determination for the South, is just.

Any time I attempted to steer the conversation into one more directly near my interests, it was rebuffed in favour of continuing a political discussion. Patience was the name of the game for me; for I had to pay close attention to what they were expressing which represented for them violations against their culture. The segment of the interview I am presenting here is a bit choppy, but it reflects the nature of the interview.

Can you explain to me about the culture of your people?

Robert: "Well, if you have known the culture of Turkana...[it is] the same as [that] of Taposa;[443] but since 1955 up to nowadays, it's spoiled by Arabs. We have found that our culture has changed."

What was your culture before the change?

Robert: "The culture change...[is] in some parts -certain circumcisions and all these. Before '55 there wasn't any circumcision at all...[now] we are forced to be circumcised, because...they (Arabs) are a majority. The majorities learn (force) it."

Why are you forced?

Robert: "That's their (Arabs) problem -for us to be out. Out to dust from Sudan."

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[443] The Turkana live in the area surrounding Kakuma Refugee Camp. The garments they wore strongly resembled the Scottish tartan and kilt.

I needed to reassure myself I heard correctly about the forced circumcision.

Did they (Arabs) do it? Take the kids?

Robert: "They did, they did. To force people."

The topic shifted slightly; as Robert explained:

Robert: "We have two types of (primary) education in Sudan. We have [the] Arab pattern, which has adopted their (Arab) culture; we have [the] English pattern, who has adopted European culture. And since [the] '50's...our people adopted the British culture. And most of the Southerners are most learned in English."

Do you feel comfortable with the British system of education?

Robert: "We feel like. That's why we [came] from Sudan -because of Arab education."

Anonymous friend: "And then they forced us to be Muslim. We rejected to be Islamised."

How do they force you?

Anonymous friend: "They impose. They force us -the Arabs. They force all [the] Southerners of Sudan. They [want] all the Southerners of the Sudan to be Islamised, and...we don't want to be Muslims. Then they force us again to be students of Arabic. If one is in a high level (British style) as a senior, you can be turned back to be...P1 (primary I) in Arabic. That's why we skipped from the Sudan."

Does "Human Rights" mean anything to you?

Robert: "Each and every individual person has his own understanding of a humanitarian life. UNHCR or United Nations has humanitarians, but the large number of refugees in Africa make it

unable to control...because of the large numbers...that's why we are treated in such ways. (He was referring to the conditions they are living under at Kakuma.) And the population of refugees is now beyond the capacity of Geneva. That's why I can say that the UNHCR, UN as humanitarian,...their financial [debt] which is accumulating is beyond the previous years, previous centuries. This is what I...understand. My understanding, and each and every individual person's understanding, differs."[444]

My agenda got off to a rocky start as my first question related to the cultural practices of the Turkana was answered only by what bad things the Arabs (Northerners) have done to the Turkana culture. This, though, was what they wanted to drill into my head throughout the afternoon. I must mention that the atmosphere inside the mudhut was like hanging out at the pub with some buddies. We were joking and clowning around a good portion of the time. Throughout half of the interview I also had Robert's baby on my lap. They made me feel like one of the family (group) -a 'brother'. It was the complete antithesis to the meeting with John, except to say that both John and Robert appeared to associate "Human Rights" quite closely with the term "humanitarian".[445] In short, Robert, his friends, and I had a private, noisy, and uninterrupted free-for-all about Sudanese politics and war in the past, present, and future.

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[444] Robert's closing remarks seemed to echo the main idea of the notion of "cultural relativism". I cannot be sure, however, that Robert's remarks were intended to express this particular concept.

[445] The association between "Human Rights" and "humanitarian" was actually strong with most of the refugees I met at Kakuma. To them, the UNHCR represents an organisation of "Human Rights" -a provider of food, shelter, and medicines. All of these are forms of "humanitarian" assistance.

Isa (Cairo: 1 December 1994) No.16

We met by chance at the UMMA Party office. I was there just to socialise, while Isa came for an UMMA Party meeting. We began to talk, and a few minutes later he offered to be interviewed on the spot. He was probably the interviewee most eager to tell me how and why he left Sudan for Egypt. The first fifteen minutes was exactly on that topic. I asked:

Do you foresee political changes in Sudan which would permit you to return soon, like in the next couple of years?

"I think it will not take a long time because Sudanese people, all of them,...want democracy; they like freedom, they like to choose their leaders."

He told me that the world's major powers deliberately prevent democracy from taking hold in Sudan. To Isa, the G-7[446] is playing a game of selling weapons to the Sudanese government and the Southern rebel armies. In other words, external interference is resulting in the continuation of the Sudanese civil war. Isa stated that if Sudan had peace, the world would see how rich the country is in natural resources -plants, vegetation, and wildlife. Isa carried on:

"This is what I want to say to you because it is in your subject. Freedom, Human Rights, it only means democracy. If you have democracy, you have freedom. Human Rights is democracy. And when we have democracy, it means that it is peace. It is Human Rights. No war. When we have democracy. If [we have] no

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446 The Group of Seven (G-7) is made up of the world's seven richest industrial democracies -Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

democracy, it means we have war, we have problems, you have people against you, you have many many, many things."

Isa contends that in his lifetime, 'third world' countries have not been permitted by the major powers to join in the 'first world'; and he seems confident that this trend will continue. He brought up the issue of people's "dignity", and that Sudanese are very different from most peoples of the 'third world', to the extent that they would rather die of hunger than beg. He mentioned that the dire situation for Sudanese in Egypt has led some to sell their kidneys;[447] that:

"...[for] the dignity of the Sudanese man, it is better to sell the kidney than to ask, "Please, give me money"."

I asked him if Sudan will always remain one country. Isa replied that all Sudanese make up one family. This wound up being the last question I asked Isa, for the room he and I were having our discussion in was getting crowded. All in all, Isa expressed some interesting opinions; not the least of which was his comment that everything he told me, he learned from playing chess.

Antonio, Manut, and Friends (Cairo: 2 December 1994) No.17

When I arrived at Manut's flat, I was introduced to a few people I had not met before (besides Antonio). The introductions had barely finished when Antonio began speaking as if he were a university lecturer. He started off by saying that he was going to cover four points:

1) Historical background of Sudan.

2) Source of the Southern Sudan problem.

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[447] see Festus Ufelle Ga-aro, October, 1995.

3) Solution to the Southern Sudan problem.

4) The current status of the Southern Sudan problem.

Antonio then explained some historical background of Sudan by stating that Sudan was inhabited by pure "Black Stock" people before the Arab men came and married the "Black Stock" women. He next talked about Sudan's colonial period starting with the *Turkiyah* and their quest for slaves and gold. He explained the British creation of Sudan's "closed districts" -which included what is known today as Southern Sudan. Antonio went on to describe the origins of Sudan's civil war and the philosophy of Dr. John Garang and the SPLM. Antonio asserted that the Southern Sudanese problem is three dimensional because the civil war is being fought on racial, religious, and ideological grounds. I was not asking any questions at this time; but even if I wanted to, Antonio was in no mood to share the spotlight for he barely let me get a word in edgeways, saying, "you will comment later", just as I only uttered a couple of words.

Speaking on the third point, Antonio stated:

"And the world says there is something called New World Order. New World Order means equality. People should be equal."

"You should also not get surprised, you American people (Knowing I am an American). The same life we are leading you have one time been in. You were [at] one time colonised, and you fight for your rights. Your rights, and you got it. And I think you (United States) should sympathise with the people who have fallen to the same problem which you...have tested. I mean oppressed. They do not have a certain limit. Oppressed is oppressed. Small or big, it is the same. If you are being oppressed, it means that you are deprived

of rights. So we are being oppressed, and you were at one time being oppressed, and you got your independence, alright. And you have power at the same time. Why not to give that power to [a] person oppressed. Because you have tested it...-[being] oppressed."

Now was my chance to ask him some questions. I asked how the Southern Sudanese were living in Cairo. Antonio and Manut responded that they practically have to 'beg' from charities. Manut immediately switched topics and categorically stated that we (the SPLM) want arms from the Americans to help defeat the Sudanese government forces. A man (I do not know his name) who had just joined us told me that he would like me to use my research to spread the word of the Southern Sudanese problem and to try to influence the Egyptian government to recognise the Southerners as refugees. When I told him that I am in contact with various "Human Rights" organisations led by Sudanese, he replied, "Northerners will not tell you the facts". He was referring to prominent Northern Sudanese scholars active in the promotion of "Human Rights". At that moment, another man named Jimmy joined us. He wanted to tell me a personal story. He spoke in Dinka while Manut translated sentence by sentence. Jimmy stated:

"When I came back to the town of Wau, something had happened, like malaria. So, I was taken to the hospital. I was taken to the hospital. I was supposed to be taken to the civilian hospital, but I was taken to the psychiatric hospital. When I went there, there were no doctors. I had the leg broken. I didn't know if the doctor was around anywhere. The people who took me were Arabs. The one who was working as a taxi driver was among those people who took

me to that place. So they came and told the people who were around that this patient (Jimmy) must be taken to the doctor inside there. I told them that there is no doctors. So they just left me, and said I was mad (crazy). I was taken...I don't know where. They carried an electric shock (prod). The other one...was carrying the syringe. They put the needle in my arm, and the other one (electric prod) in my back. And the one who was carrying the electrical shock said, "How is this guy....like mad?". So this man give me an electrical [shock]. So they put two holes in my head. So I just lost my consciousness."

"I've never slept again. I don't feel [the] cold. And when I have my clothes on, I don't feel like I am wearing them. I stayed for forty-eight hours without sleep. My bed was rolling. There was no medicine given to me. Even the prescription to buy medicine was not made. So when it was night I slept after forty-eight hours. I slept two days, forty-eight hours. I continued to sleep for the entire week. One of the nights I lost my consciousness. So one of my brothers called for a taxi to bring me back to the hospital. Then I was admitted. The doctor who came to me was an Arab Muslim. This man must examine me because he is under responsibility. So they put my name on the file and hung it from my bed. The first morning he ordered people to bring urine and stool samples to be examined. There was no urine at all. Instead of examining me, the doctor just stood far away. So he decided to let me be without examining me. So, when a certain Dinka man saw me in bed, he said to the doctors, "Are you just waiting around or are you going to treat the patients?". So the doctor asked the man, "What is your responsibility by asking such a question?". The man replied, "I have a brother here who is

suffering." The doctor said that this man (Jimmy) is lying, and not sick. The doctor went away. At 12:00, the man who took me in came back to me. He said that I must be discharged from the hospital because I was not sick. That is a Human Rights abuse."

After Jimmy had finished his story, another man was introduced to me -to tell his story. This man is barely able to stand as a result of an operation he received in Sudan. He claimed that the botched operation on his leg was because of neglect on the part of a Northern Sudanese doctor. This to him constituted a "Human Rights" abuse. I was curious to know about their -Jimmy and the man just mentioned- own standards of "Human Rights", but before I could finish my question, Antonio answered:

"Well, well, yes. I got your point. There are so many rights; financial rights, political rights. These are called rights, but among all these rights there is [the] top right which has first priority. In [the] universe, the first right which can be...violated is the right of man and his life to exist. To live. In the shortest form, the right of your own body. The body. This is the first right. You can defend it by any means.[448] OK! If anything enters to your body without your consent, I mean without your agreement, that is a violation of a Human Right. That is the first right."

Antonio and Manut asked me about the American healthcare system and then gave me some more examples of "Human Rights" abuses in Sudan. It seemed that most of the examples they gave me were related to discriminatory healthcare practices by Northern

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[448] His remarks bear a striking resemblance to those famous words of Malcolm X: "...by any means necessary". I do not believe, however, that this was intentional.

Sudanese physicians. This included forced sterilisation of Southern Sudanese women and refusal to vaccinate Southerners for diseases such as malaria. They claimed these were intentional practices by the Sudanese government in its attempt to shrink the Southern Sudanese population.

For the next hour we discussed American foreign policy and the United States as a participant in the global "war of interests". They did their best to convince me that the political stabilisation and an end to civil strife in Sudan should be a top priority for the United States; particularly because Sudan is of major geo-strategic importance. They also added that the United States should support the Southern Sudanese because the United States is a "Christian state".

At the end of our mini-conference, Manut introduced me to his wife and explained to me that she had been beaten by Sudanese policemen while she was pregnant. As a result of the beating, she lost the foetus. This, and the other stories were very sad. They mirror the sad situation of the continuing bloodshed in Sudan.

Regarding the format of this interview, if one can call it a real interview, I was completely at the mercy of the interviewees. This is because they had planned a structured three hour program of numerous presentations. I was not going to disrupt their plans. After three hours, we were all tired; and at Manut's request, we packed it in.

Margaret, Moses, Carlos, Margaret's Mother, and Friends

(Cairo: 9 December 1994) No.18

Moses and Margaret, a couple from Southern Sudan, were given my phone number and asked to call me by other Southern Sudanese friends of mine who knew I was interested in meeting more Sudanese. It was Margaret who got in touch with me and arranged to meet. This first appointment, however, was cancelled at the last minute, so we rescheduled. When we met up at their apartment a few days later, we just had an informal conversation; more or less introducing ourselves. This was not what I had expected, but they explained that they would prefer a more 'formal' interview when some of their relatives and friends could come and participate. Eight days later we were to meet again at their flat. However, in addition to some relatives (and friends), they had also invited Atsuko, a Japanese researcher. Her research relates to Sudan's political history. I admit I was sceptical in the early going because I did not know how the interview would work with two interviewers. In the end though, we were able to feed off from and complement each other's questions. As the meeting lasted nearly five hours, I am quite sure everyone learned something during the session.

The conversation covered a range of topics beginning with Shilluk relations with other peoples in Southern Sudan, particularly Dinka and Nuer; functions of the Shilluk Kingdom; the Sudanese civil war; and the quality of life in Egypt for Southern Sudanese. Some interesting opinions were voiced. Firstly, that Egypt is the big enemy of the Southern Sudanese because of their Nile River interests. They claim that Egypt strongly influences the United

States so as not to support the Southern Sudanese in their fight against the government forces. This ensures that the Southern Sudanese do not have control over the Nile River water flow. Secondly, that the British should have played a strong role during Sudan's transition to independence. In other words, that the British should not have handed over power to the Arabs. Thirdly, that the Sudanese civil war should not be viewed as an internal affair only. Everybody supported some sort of international and/or American intervention to put an end to the suffering and bloodshed resulting from the civil war. When Moses and Margaret remarked that "Human Rights" violations exist in Sudan, I asked:

> *From what you know about the standards of "Human Rights" as written in the United Nations documents, are these standards applicable to the Shilluk people with respect to the Shilluk values? In other words, what constitutes a "Human Rights" violation according to your definition of "Human Rights"?*

Margaret: "If I'm not free to move, I'm not free to talk, I'm not free to go...to the place of wash, OK. Many things. Restrictions."

Carlos: "The Military...they torture civilians if they suspect that you (a civilian) are somebody unknown to them; they may take you and kill you, without any question. This is...the violation of the Human Rights in the South. It happened many times, you know. And from a very long time until today, it's going on."

Margaret's mother: For example, when I came the last time [to Egypt], I was made to stand for ten minutes. They (Sudanese customs officials) were screening my passport. Many people were

allowed to pass, but I had to stand because they read the name of my husband and ordered him to come. So, it is a way of torturing people or violating Human Rights. If I want to apply for an [exit] visa...it won't come out. You see, [it is] not like that [for] Arab Northerners where it (exit visa application process) finishes in ten minutes; with me it will take actually three days, five days, or something like that. I will have to be called by the security and questioned or something like that. So...they consider (treat) me [as] a foreigner. Even they treat foreigners better than me. So these are all violations of "Human Rights".

Margaret: "If my relative is in SPLA, OK. And he came to visit me...or they heard he's there in the town, they will come and arrest me, torture me."

Margaret: "The (current Sudanese) culture has no freedom, in the TV, the radio, nothing. You cannot only advocate for the Arab culture (in Sudan) and neglect the others, you cannot."

Moses: "Actually, it (the current government of Sudan) is relatively [similar] to the system...of South Africa [during *apartheid*]."

To the people who live in the Shilluk villages and have not left their traditional area, what does "Human Rights" mean?

Moses: "The Shallon (Shilluk) have their own system. The liberty that they have been living in, of course it is moral. You know, it is like the international code, standard of liberty. Of course, they are free to do anything. They are free for expression. They are free for justice, also. Anything, anything they want, they

are free for that....You know, all this type...that has been standardised by the UN, it is there. But, with the present system in Khartoum, and all the subsequent systems that have been coming up, actually the liberty has been...restricted. For the people in the surrounding villages of...Malakal, people are not really happy with what is being done by the government. So they are (not as) free as much as they were, and a lot of freedom has been taken away from them."

There does not seem to be any major contradictions between United Nations definitions and Shilluk Kingdom definitions of "Human Rights"?

Carlos: "Yeah! That's clear. You see, for the simple person in the Shilluk area, especially within this confusion, they know what is good and what is bad. If the white people appear at the time they are suffering they believe that he will save them from the situation. They know it is impossible for a white man to appear there unless there is an important thing you know; either to kill them or to save them. So, the rule is that if the white power appears there, it is to save them. So the kingdom is threatened by the system now, and there is no hope on the kingdom again because it is powerless. I mean in comparison with the government forces, you know. The kingdom is not any longer powerful. The kingdom is powerful in system, but not in the force because they don't have any organised army, you see. But for the UN forces, if they appear in the area of the Shilluk, they will know that it is for their good."

Atsuko followed this up by asking:

For the ordinary person of a Southern Sudanese village, is the concept of equality very natural?

Margaret: "It (Shilluk traditional law) is applicable to all. The same penalty which is applicable to the Shilluk is the same [for others]. In front of the law, they (everybody) are the same. There is no privileges of the Shilluk fellow over a non-Shilluk."

The last two questions are exemplary of the complementary nature with which Atsuko and I conducted our interview. The final topics discussed at this five hour marathon interview concerned traditional Shilluk religious beliefs and the role of cattle in Shilluk culture. The five hours went by so quickly because the dialogue never slowed down. Transitions from one topic to the next flowed smoothly throughout. All of us were absolutely nackered as the meeting ended near midnight. Although the interviewees had a written agenda of topics to be raised at the interview, they were careful not to take the liberty of dominating the interview as Antonio and Manut had done with me the week before.

Abu Salih (Madinet Nasr: 11 December 1994) No.19

I first met Abu Salih two months before on the evening we originally had scheduled the interview, but due to a sudden death in his family, we postponed it. When we met again, he was suffering from an acute case of influenza. I asked him if he would prefer we meet at another time, but he decided to go ahead with the interview.

Abu Salih had been a member of the National Islamic Front (NIF) since 1963, when he was in intermediate school. During the military government of Nimeiri he spent twenty six months in

prison, after which he left to work in North Yemen for three years before returning to Darfur in 1981. By this point, Nimeiri had improved his relations with the NIF. Abu Salih eventually was elected to the Sudanese People's Assembly; but roughly six months before Omar Bashir came to power in 1989, Abu Salih left the National Islamic Front because he disagreed with their plans to stage a military coup. He felt that the use of military force was not the best means, nor in the best interests of the NIF, to achieve the objectives of the organisation. After leaving the NIF, he joined the Democratic Unionist Party (DUP).

The early part of our discussion focused on Darfur and the background of the people in his home area. He talked about the influence of the UMMA Party in the region, it's use of Islam, and why he decided to join to NIF. He told me of his differences with the present NIF led government in Sudan, but as well, expressed disgust with the NDA's weak opposition campaign. Because the conversation became completely centred on politics and because I wanted the interview to be short in view of Abu Salih's health, I abruptly switched topics and asked him:

Are the "Human Rights" standards as written in the United Nations documents applicable to the peoples in Sudan?

"It (United Nations standards on "Human Rights") is applicable not [only] to the people of Sudan, but it is applicable even to Islam. It is applicable to Islam. Aaahhh...only there is one point...relating with the situation of Islam....freedom to convert your religion and so. My belief, [though] this is not the understanding of Islam, I think through a very deep dialogue of those who study Islam deeply, this

point in my understanding...is not like that. It is one of the understandings of those...ancient people. But it has nothing to do with the doctrine of Islam, because [with] this we defeat other basic points in Islam. Islam will never be defeated by force, so since I have a freedom to join Islam, as well I have freedom to leave Islam. But there are some quotes in the ancient practices of Islam, and I think it has nothing to do with Islam. And there are great people who have studied Islam and they say that this has nothing to do with Islam. A man has the full right to join Islam or to leave Islam after he joins Islam. This is the personal freedom. Otherwise there is no personal freedom."

We continued on the topic of Islam. One of his main points of contention with the current NIF led government is their campaign of forcing Islam on others. Abu Salih does not believe Islam should be forced on people. He contends his duty as a Muslim is fulfilled when he informs people of the qualities of Islam; but his duty does not extend to the point of forcing the religion (Islam) upon those whom, once informed, resist. We discussed the issue of identity in Sudan along Arab/African and Muslim/Christian lines. He acknowledged this is a problem, that attitudes which support these divisions exist, but that these divisions are relatively new to the discourse of Sudanese identity. He did conclude though that it is best if the Sudanese avoid these divisions because of the problems they present. A few minutes later we ended the interview. I was grateful he gave me a full hour and a half. He is a man who will not let on he is feeling too sick to keep his appointments.

My meeting with Abu Salih was similar to the one with Abdul in the sense that I met both for quite specific reasons -Abdul to discuss *Sharia* and Abu Salih to learn more about the NIF. With both, my interview agendas were followed closely as each gave me the freedom to ask virtually whatever questions I chose without having to engage in a game of *quid pro quo*.

The interview excerpts presented above represent a good sampling of the Sudanese I encountered during fieldwork. Due to restrictions on the length of this thesis, I have had to choose those interviews I thought most useful to the reader in understanding how the notion of "Human Rights" was discussed with the displaced Sudanese interviewees. I want to make it clear that in the next part, I will employ not only the interviews just presented, but also excerpts from several others.

Part IV: "Scripts" and "Vehicles"

Introduction

Having talked with displaced Sudanese in the United Kingdom, Egypt, and Kenya, it is not difficult to realise that the subject of "Human Rights" was not discussed by the interviewees in a monolithic fashion. Quite the contrary, for although the "theme" throughout practically every interview was to verbally trash the present 'regime' in Sudan, it was expressed with the aid of several tools (or devices). I am concerned with two devices in particular, which I shall refer to as "Scripts" and "Vehicles". After examining both devices, a further section will follow, entitled "Important

Others", with the purpose of looking at additional topics which do not fit under the categories of "Scripts" or "Vehicles".

Section I: "Scripts"

I talked earlier about interview "agendas"; and implied that a number of the interviewees' "agendas" were particularly well planned. Some were so well prepared, possibly even rehearsed, that the interview sessions followed a sort of design or "script". There appeared to be a number of reasons for this, including my skin colour, nationality, assumed religion, topic of research etc... The biggest factor, without a doubt, was my "Americaness". This particular aspect will be highlighted in this section as I focus on the interviews with Antonio, Manut, and Friends (Interview No.17) and Margaret, Moses, Carlos, Margaret's Mother, and Friends (Interview No.18) to look more closely at the evidence which indicates that some interviews, especially those just mentioned above, were well choreographed.

Antonio, Manut, and Friends (Cairo: 2 December 1994) No.17

I thought that I was invited by Manut, approximately one week earlier, to have a nice one to one chat about my research and the state of affairs in Sudan. Manut and I had met once before at the Sudan Studies Centre -an information institute in Cairo- and seemed to connect right from the beginning. At the time, he appeared extremely keen on having me come over to his apartment to talk about "Human Rights" and the problems facing Southern Sudanese. While I was not surprised that Manut had invited some friends (such

as Antonio) to participate at the meeting, I was slightly confused as to what would actually take place. As soon as I arrived, I was emphatically notified by Antonio that the session would cover four main topics:

1) Historical background of Sudan.

2) Source of the Southern Sudan problem.

3) Solution to the Southern Sudan problem.

4) The current status of the Southern Sudan problem.

Just as I had my notebook handy for the meeting, Antonio had his; and right at the start, reading from his notes, he outlined his anticipated agenda. There was no space for which I could enter into a conversation with either Antonio or Manut, for Antonio, as the main speaker, began not by asking the usual customary questions -such as, "How are you?", "What part of the United States are you from?", "What school are you attending?", "Why are you interested in Sudan?", etc...- but by explaining his and Manut's version of Southern Sudanese history. He started with the Arab migrations to Sudan, and explained how they came to mix with Sudan's indigenous "Black Stock" inhabitants; after which he jumped ahead to the time of the *Turkiyah* and Anglo-Egyptian Sudan, pointing out the British invention of Sudan's "closed districts".[449]

After talking literally non-stop in covering the first two of his four topics, I attempted to ask a question. My attempt was immediately thwarted, however, by Antonio -with the words, "you

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449 Sudan's "closed districts" consisted of an area larger, at the time, than the rest of the Anglo-Egyptian Sudan. see G. Ayoub Balamoan, *Peoples And Economics In The Sudan: 1884 to 1956*, Harvard University Center for Population Studies, Cambridge, Massachusetts, 1976. p.11.

will comment later"- as he continued on to cover the third topic. After putting forth his case that Americans should sympathise with the Southern Sudanese because of a shared history of oppression,[450] not to mention his already expressed opinion that Southern Sudanese and Americans have a common 'Christian' heritage, there was an opening in his presentation which enabled me to ask questions, particularly on the quality of life for the Southern Sudanese community in Egypt. The topic of conversation quickly shifted, however, as Manut and an unidentified friend both cried out that they, as Southern Sudanese, seek military and financial assistance from the United States for the task of overthrowing the present Sudanese government. After a minute or two of discussion on how my research could be used -for example, to distribute copies of the finished thesis to those in the American Congress and Senate who are concerned with African affairs- in support of the Southern Sudanese 'cause', Antonio and Manut introduced me to Jimmy -who had only just entered the room just minutes earlier. Jimmy was invited to explain to me his tortuous experience in a Sudanese medical clinic. His monologue was an integral part of the fourth topic, for his unpleasant experience was used to explain the treatment Southern Sudanese receive in their own country by virtue of being 'Southern' ('black' and 'non-Muslim'). Just as Jimmy finished, another man -practically crippled- entered and began his own monologue, roughly half the length of Jimmy's. The purpose was identical to Jimmy's for his story again centred on the mistreatment of a Southern Sudanese by Northern Sudanese medical personnel in a

[450] Part of this shared history of oppression includes being colonised by the British.

health clinic. After this presentation, and realising that there was not a third individual waiting to add another testimony of torture, I attempted to ask Jimmy and the other man some questions; but before I could finish the first, Antonio interrupted to lecture on the fourth and final topic. He concluded that the first and foremost right of any individual is the right of one to protect their own body "by any means necessary". It was at this point I was finally allowed to enter into a discussion with Manut and Antonio. As the others had already left, Manut, Antonio, and I engaged in a one-hour conversation on the American healthcare system and the United States government's foreign policy in the region (North and East Africa). Again, the subject of an individual's right to his/her own body was raised as they accused the Sudanese government of attempted genocide by forcing Southern Sudanese women to be sterilised and by their refusal to give Southerners vaccinations for potentially fatal diseases. While it was nice to be able to finally relax a bit as the pace of the session slowed down considerably, the specific issues discussed at this juncture, and indeed throughout the meeting, were always introduced by Manut and Antonio, and in some way always related to something American -for example, the American government, American people, the United States as a 'Christian' state, etc... The fact was my agenda never even reached the starting gates.

It was clear from the very beginning that my agenda was virtually meaningless as far as Antonio and Manut were concerned. They had arranged for the entire session to be well choreographed with friends, such as Jimmy, coming and going at the proper

intervals. From the moment I entered Manut's flat it was evident that I had little choice but to sit down, throw my intended agenda aside, and allow Manut and Antonio to carry on with the "script" they had planned for the afternoon. My role throughout our meeting was merely as a member of the audience allowed to participate in the show only when those in the show called for and accepted my participation.

Margaret, Moses, Carlos, Margaret's Mother, and Friends

(Cairo: 9 December 1994) No.18

I was under the impression that my first meeting with Margaret, Moses, and Carlos, eight days earlier, was meant not just as an introduction, but as a preview to our next scheduled encounter. My impression is based on what I was told by all three on December 1st; that they were interested in becoming acquainted with me and my research interests before I was to conduct an interview with them.

One of my initial thoughts when the interview had just finished was that it was obvious my first meeting with Moses, Margaret, and Carlos, the week before, was simply an opportunity for them to 'size me up' in order to plan their agenda for the future 'real' interview. The bounds of the 'real' discussion were set by Margaret, Moses, and their cousin Carlos. In other words, the interview began and ended when they said, "OK! We can start now." and, "I want to go away, I think we have said enough." I do not want to imply that what was said in between the quotes, however, was in any way choreographed like the interview with Manut and Antonio. The

freedom to ask questions was extended to me most wholeheartedly as I was able to bring up topics for discussion just as much as Moses, Margaret, and Carlos. Since we had met eight days earlier to discuss the questions I was intending to ask them, they were very prepared with answers the following week. The interview was choreographed without a doubt; but unlike the session with Manut and Antonio, I was much more inclusive in the body of the "script"; for the "script" was greatly based on what I had told Margaret, Moses, and Carlos of my research interests the week before. However, like the session with Manut and Antonio, they made a point of telling me that they, as Southern Sudanese, welcome American support -money and arms- to help overthrow the current Sudanese government. In addition, like many of the Southern Sudanese I met, they blamed the British for helping to create problems for the Southern Sudanese by 'handing' over power to the Arabs at Sudan's independence on January 1, 1956.

The one peculiarity of this particular interview was that I shared my role, as interviewee, with Atsuko, a researcher from Japan. I mentioned earlier that I was sceptical when I first realised that Atsuko would be joining us. To be honest, I was slightly taken aback when coming through the front door to the flat of Moses and Margaret I was immediately introduced to Atsuko, who I was then told, was to be joining in on our interview session. I was asked if I minded, and if her presence would cause me any problems. I, of course, answered, "No!"; however, I could not help but wonder why I was not told by Moses, Margaret, and Carlos she was interested in attending. I really did not know what to make of the situation.

Because the meeting was originally scheduled without her, Atsuko gave me the courtesy of more or less leading the discussion. As previously mentioned, Atsuko and I asked questions which were generally very complementary in content. Her interests in Sudan's political history and my interest in "Human Rights" and Anthropology never came into conflict.

I am sure the dual interviewer 'set-up' could be interpreted as one of convenience for the interviewees -two interviews in one. Another interpretation could be that since they knew we were both social science researchers, and from the 'west',[451] they assumed we were interested in the same topics (for example, Sudanese politics, "Human Rights", and Shilluk society) and in gathering similar data for scholarly purposes. While I seriously doubt that had Atsuko been Sudanese I would have had to share the spotlight, I do not believe Atsuko's presence was meant with any bad intentions on the part of Moses, Margaret, or Carlos. In the end, I actually have no idea why she was invited without my knowledge; but it does not really matter, for the interview proved to be very informative and helpful for my research.

The two examples presented above were far from the only interviews which were well prepared and choreographed. Another notable example of 'set design' was my meeting at Kakuma Refugee Camp with John and his Guest (see Interview No.14). It was at this particular meeting where, as mentioned earlier, I actually felt like I

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[451] I am including Japan as a 'Western' nation based primarily on their economic status and 'high' standard of living.

was on a stage. In addition, there were the interviews with Mabrouk (see Interview No.1) and Mubarak (see Interview No.2) where both read from written statements. In this way, they made sure to cover the most important topics on their agendas before I was to have the chance of asking questions. Once their statements had been read, however, both Mabrouk and Mubarak allowed me -more or less- to ask them questions rather freely. In sum, I believe the two examples examined in this section represent the most obvious incidences of my "Americaness" playing such a large role in the formulation of "scripts". These "scripts", in turn, were developed as part of the overall agenda of the interviewees. The "scripts" were devices which the interviewees employed in their aspirations to control the interview in order to satisfy the requirements or aims of their agenda.

Section II: "Vehicles"

Throughout the fieldwork it was impossible for me not to realise there were issues or "vehicles" which came up in the discussions on "Human Rights" with the interviewees again and again. What I mean is that within a discussion on the subject of "Human Rights", certain issues stuck out for the interviewees as ones useful to employ for making examples and illustrating points. As a means of criticising the present 'regime', many interviewees cited the lack of religious freedom and democracy in Sudan. In other words, the topics of democracy and religious freedom in Sudan were frequently employed as "vehicles" to express a distaste for Sudan's present government. To a much lesser extent, interviewees

employed other "vehicles" such as Sudan's 'falling' economy and the lack of opportunities in higher education. It is the former two "vehicles", however, which I will focus on in this section. In doing so, I will employ short excerpts from selected interviews. Many of these excerpts form part of the interviews presented in the last chapter.

I cannot say that it was always the interviewees who introduced these "vehicles", for there were times when I knew of an interviewee's interests before an interview.[452] Therefore, in the hope of getting into a good conversation, I asked certain questions and/or introduced certain topics into the discussion I knew were of interest to the interviewee. In general, though, "vehicles" were primarily introduced by the interviewees because most of the time, I knew too little of the interviewees beforehand to know of their particular interests.

Religion

The "vehicle" of "religion" can subdivided into two parts. The first relates to the questions of what is true Islam and what makes for a good Muslim. Both are at the heart of the present Sudanese conflict according to many of the interviewees. The National Islamic Front (Muslim Brotherhood) is widely recognised as the driving force behind the present Sudanese government led by General Omar al-Bashir. The government claims they are representative of the values espoused by the majority Muslim population of Sudan.

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[452] This was particularly true when I had been acquainted with an interviewee prior to an interview. As well, there were times I had been briefed on an interviewee by a mutual acquaintance prior to meeting with him/her.

These values, they contend, allow for the protection of peoples of all religious persuasions.[453] In addition, these values are said to be rooted in *Sharia* (Islamic Law). The sources of *Sharia* are the *Qur'an* -"the infallible Word of God revealed to the Prophet Muhammad"-[454] and *Sunna* (literally meaning "custom") -"rule based on the Prophet's precedent".[455] Since *Sharia* is largely based on interpretation of the two, and given that Islam is practised in varying ways in Sudan,[456] who is to say whether the Sudanese government's interpretation is or is not the correct one for the Sudanese people?[457] Many of the interviewees had much to say on this issue; particularly those who are Muslim and in opposition to the version of Islam preached by the National Islamic Front (NIF) and current Sudanese government.

When Mabrouk (Interview No.1) singled out that he was forbidden to say his prayers while in detention as a "Human Rights" abuse, it appeared obvious that to practice Islam meant a great deal

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453 "Indeed, Sudan, which is currently applying laws derived from Islamic Sharia, is a multi-religious, multi-cultural and multi-linguistic society."
"Every social sect [in Sudan] should have the opportunity to express itself with absolute freedom and without any annoyance whatsoever, that is, unless such expression is out of the common norms. In other words, every individual must not feel any social oppression because of his/her religion."
"Finally we can say that all religious beliefs enrich social life in Sudan by tolerance and brotherhood and create better coexistence between Sudanese people."
The preceding three passages are taken from a booklet published by the Sudanese Ministry of Culture and Information on the occasion of the visit of Pope John Paul II to the Republic of Sudan in 1994 entitled, *Religious Freedom In Sudan.*

454 N.J. Dawood (translator), *The Koran*, Penguin Group, London, 1990. p.1.

455 Majid Khadduri, *The Islamic Conception of Justice*, The Johns Hopkins University Press, Baltimore, 1984. p.242.

456 see J. Spencer Trimingham, 1949. see also Carolyn Fluehr-Lobban, *Islamic Law And Society In The Sudan*, Frank Cass And Company Limited, London, 1987.

457 In *Religion And Custom In A Muslim Society: The Berti of Sudan*, Ladislav Holy discusses the question about what is and what is not proper Islam amongst the Berti in the context of Berti religious practices. Holy examines what the Berti classify as 'custom' (*ada*) as opposed to religion (*din*). see Holy, 1991.

to him. Indeed, he revealed that it was his faith in God which provided him with the strength he needed to get through the toughest times in the "Ghost House" (secret detention centre). I was curious if a Muslim is denied the right to say his prayers by a government claiming it is inspired by Islam, then from the point of view of a practising Muslim:

What role does Islam have in the current Sudanese government?

"They (the government) are not good Muslims, and they are taking advantage of Islam to rule. Their mission is to rule; [to have control] of power, of money, of everything. As I told you...they forbid me to say my prayers (while he was in the "Ghost House"). This is not Islam. The big issue which they are now trying to do (implement) is the application of the *Sharia* law (Islamic Law). They (Sudanese people) say that [the government] speaks about whipping for those who drink [alcohol], amputation for those who steal, and so on. We (Sudanese people) are against the Muslim fundamentalists (the Sudanese government and National Islamic Front) and the *Sharia* laws which they are now calling for and trying to apply now because they are not applied properly and it's not the proper *Sharia* that we know or we want. And they are not good Muslims in the respect that they are taking advantage of Islam to suppress people. They scare people. If you say, "I am against this [*Sharia*] and I don't like [that]", [the government replies] "Oh! You are against Islam". We (those in opposition to the Sudanese government's interpretation and implementation of the *Sharia*) are not against Islam. We are against the bad deeds that the Muslim

fundamentalists (Sudanese government and National Islamic Front) are doing. Islam is something different from what they are doing now. Islam is not against democracy; Islam is not against freedom; Islam does not say to you [to] detain people and kill them in cold blood, and torture them. This is against Islam. Islam is a religion of peace;...they (National Islamic Front) think that the government should strike them (Southern Sudanese), should launch a war against them, should impose unity by force. So, they (the National Islamic Front and current government of Sudan) are against peace; and this is why we are against the Muslim fundamentalists. In a nutshell, they are not proper Muslims, and they are not good Muslims. And the recent period has confirmed this."

Naomi (Interview No.4) is a Muslim woman from a society -Nuba- that, as she contends, places strong emphasis on the equality, particularly economic, of women with men irrespective of their religious background. She explained to me some of the differences between the Nuba and other Sudanese peoples regarding the women's level of independence and status in Sudanese society; after which, she went into some detail on the issue of Nuba identity and the Nuba as a distinct cultural group in Northern Sudan. On the origins of the present conflict in the Nuba Mountains, Naomi declared:

"What I want to say is that this question of the Nuba and the Human Rights, and if we look at it from the point of view of the Human Rights, you see, [is that] there were continuous violations of the Human Rights in the Nuba Mountains for different reasons. The first reason, as I mentioned just now, is...because we are looked at

as ancestors of slaves and second class citizens.[458] The second point, and this is one of the main points, came with the discovery of oil in the region; and then the states (regions) of the North began to look...(and say), "these people are not educated, they are slaves, and they don't deserve all of this. So, what we need to do is clear the whole area of the Nuba and...replace them with the Arabs"."

"And this idea [of] what's happening now in the Nuba was introduced by Hassan Turabi, the one in power now.[459] It was introduced by Hassan Turabi in 1976 when he reconciled with Nimeiri together with Sadiq al-Mahdi; and Hassan Turabi presented his proposal for Arabisation of the Nuba and the replacement of the land by Arabs."

Where are the Nuba to go now?

"They can go to Hell! Yes! And this is where we are going now."

Is Hassan Turabi making a distinction between Nuba Muslims and Nuba non-Muslims?

"If the Nuba do not accept Islamisation and Arabisation, then they should be...[moved out of]...the area. This is where the idea of the ethnic cleansing came from. In 1983-84, when Nimeiri began to focus on the Islamic religion, then came the idea. In secret, the Arabs in the region were given weapons and ammunition."

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[458] The issue of slave ancestry came up quite often during my conversations with the Southern Sudanese and Nuba. Many times they told me that in Sudan, the unfair treatment they receive is based on the belief by Northern Sudanese that they (Southerners and Nuba) are descendants of slaves. I believe this to be rather ironic because it is actually the Northern Sudanese who are largely the descendants of a mixture between Arabs and Africans -many of them, slaves. The Southern Sudanese have not been nearly as assimilated into the general Afro-Arab Sudanese society as their countryfolk up north.

[459] Although Hassan Turabi is not officially the head of government in Sudan, he is widely recognised as the one calling the shots.

Naomi next went on to describe the treatment of Nuba women by Sudanese government military forces and government trained civilian militia (*Murahaliin*). In regards to the role Islam plays in their activities and in response to Sudanese government claims that it is promoting an Islam compatible with Sudanese values and an Islam the people of Sudan desire, Naomi continued:

"We (the Nuba) are not against anybody, but there are gross violations of the Human Rights. You see, I can be working in my farm, and then somebody comes and kills me. This is [an example of the] gross violations. I cannot keep quiet."

"There were gross Human Rights violations of the Nuba women, because according to the regime now they are the public property of the soldiers in the region. You see, there is daily rape of women, and they take them to the [military] camps to do the cooking, and all these kinds of things. Any man can rape her; any man can use her the way he wants. You see, this is in the present regime. So, I think that our politicians were not wise in the past because this thing could have been dealt [with] in a better manner. This has nothing to do with Islam -what is happening now. I know it has nothing to do with Islam."

Tayib held a 'democratically' elected political position representing the UMMA Party in the late 1980's. As a member of a political party with its own ideology strongly influenced by Islam,[460] I thought it especially interesting to hear his opinion on an

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[460] The UMMA Party was founded in 1945 as the political organisation of the Islamic Ansar movement. The Ansar are followers of the teachings of the Mahdi ("the awaited guide in the right path"), a ruler of Sudan in the 1880's. Sadiq al Mahdi, the Mahdi's great-grandson, is currently the leader of both, the UMMA Party and the Ansar.

opposing party's Islamic ideology; in particular, the party (NIF) he considers responsible for the loss of his government post and flight into exile. In regards to 'internationally recognised' standards of "Human Rights", I asked Tayib to give me his opinion, as a politician,...*on the use of Islam (for example, as a political tool) by the current government of Sudan.* Tayib answered:

"Well, Islam does not endorse the torture of people, whatever their political position or political standards. Islam does not approve sacking people from their jobs simply because they are not in the [right political] party. Islam does not approve the killing or even the detention of political opponents. So, violations of Human Rights in this country, in Sudan, are no different from let's say Iran, from Iraq, from Kuwait. Islam is not a religion of torture, it's not a religion of coup d'états, it's not a religion of war. So, it's very strange that somebody says this (the policies of the current Sudanese government) is not a violation of Human Rights, [and] it is [these] kinds of Islamic standards being practised in the country. This is a fallacy and we (as Muslims active in the political opposition -particularly of the UMMA Party- to the current Sudanese government) believe that from an Islamic point of view there is wide ranging violations of Human Rights in the country. Those who are being tortured [by the current government in Sudan] are not Jews, they are not Christians, but they are genuine Muslims who pray five times a day, who observe their Ramadan, who go to the mosque very frequently, aaahhh who do not drink let's say liquor or rum or whatever."

As Albert (Interview No.11) was finishing explaining to me everything there is to know on Southern Sudanese based political parties and opposition movements, he went on to criticise the current Sudanese government's "Human Rights" record in regards to its employment of an Islamic ideology, stating:

"...the government onslaught against Human Rights in the country; ...that the government of Sudan is doing things against its own citizens that would not be acceptable to any society that believes in equality [and] justice. We (the Southern Sudanese political opposition) explained to them (international community) that the government is imposing its Islamic ideology on people who are either not Muslims or are not believers in the religious system...ruling the country."

Mabrouk was detained, tortured, and denied the right to say his prayers in the infamous "Ghost House"; Naomi had her property (land) seized; Tayib was sent to prison as a member of an opposing 'Islamic' based party; and Albert has lost too many relatives -to the civil war- while attempting to resist "the government onslaught against Human Rights". They all claim that their unfortunate experiences occurred in the name of the Sudanese government's continued imposition of an Islamic ideology not compatible with the religious -Muslim and non-Muslim- beliefs of the majority of the Sudanese people.

Many non-Muslim interviewees told me flat out that the Islamic agenda of the present Sudanese government is a truly Islamic one. The government of Sudan is seen as not only

representative of the values or agenda of the National Islamic Front (NIF), but representative of the religious values of Islam, Arabs, and Northerners in general. Islam is viewed as a religion of intolerance and war because of their experiences under the constant domination of Muslim Northern Sudanese political leaders. For them, there is no question of a 'good' Islam or 'bad' Islam. One aspect of this problem is the close ties in Sudan between politics and religion. Both major political parties from Northern Sudan, the largest political parties in the whole of Sudan, are rooted in Islamic sects.[461] This is where the religious context of the Sudanese civil war comes in. The civil war has continued since 1955, with an eleven year break from 1972-1983, no matter who has been in power.[462] Since independence (January 1, 1956), Sudanese politics has been dominated from the North -either by the UMMA Party, the DUP, the NIF, or Muslim military dictators with their own Islamic agendas.

The second part to the "vehicle" of "religion" concerns the issue of religious freedom. The freedom of a person to choose his/her religion was undoubtedly the most contested issue throughout my fieldwork. Obviously, those (Muslims and non-Muslims) who feel their religious freedom is being denied to them will have something to say in support of the right of one to choose

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461 The UMMA Party is affiliated with the Ansar, while the DUP is tied with the Khatmiyya.

462 Sudan was not completely at peace from 1972-1983 as Gai Tut, "who had received training in Israel, had led a short-lived mutiny [in 1975] of the Akobo garrison after it received orders to prepare to move to the North. The Southerners mutinied, shot their commander and seven men loyal to him, and with their arms, headed for Ethiopia. Once reconstructed, the Anya Nya II forces reappeared in significant numbers in the Upper Nile region in the early 1980's." see J. Millard Burr and Robert O. Collins, *Requiem for the Sudan: War, Drought, & Disaster Relief on the Nile*, Westview Press, Boulder (Colorado), 1995. p.13.

his/her religion. Christians, as well as Muslim interviewees, complained to me that the Sudanese government is forcing its brand of Islam on a population which subscribes to other beliefs and values. Many pointed to things such as a ban on alcoholic beverages and the enforcement of 'proper' Islamic attire for women (for example, veiling),[463] especially in the Three Towns, as contrary to the traditional practices of the Sudanese, regardless of one's religious persuasion. Another question within the issue of religious freedom relates to those -Muslims- who, regardless of their feelings towards the Islamic agenda of the present administration, support the Islamic tradition that one does not have the freedom to leave Islam; in other words, to be an apostate (*Murtadd*). The traditional, but controversial and highly disputed, penalty for apostasy (*irtitad*) in Islam is death.[464]

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463 Two commonly brewed alcoholic beverages are "marisa" and "`aragi". "Marisa" is a type of beer made from fermented millet, while "`aragi" is a clear spirit distilled from dates or sorghum.

464 "There shall be no compulsion in religion. True guidance is now distinct from error. He that renounces idol-worship and puts his faith in God shall grasp a firm handle that will never break. God hears all and knows all."

"God is the Patron of the faithful. He leads them from darkness to the light. As for the unbelievers, their patrons are false gods, who lead them from light to darkness. They are the heirs of Hell and shall abide in it for ever."

The preceding two passages are from the Qur'an: "The Cow" (*Al-Baqarah*).

"Why are you thus decided concerning the hypocrites, when God Himself has cast them off on account of their misdeeds? Would you guide those whom God has confounded? He whom God confounds you cannot guide."

"They would have you disbelieve as they themselves have disbelieved, so that you may be all alike. Do not befriend them until they have fled their homes for the cause of God. If they desert you, seize them and put them to death wherever you find them. Look for neither friends nor helpers among them except those who seek refuge with your allies or come over to you because their hearts forbid them to fight against you or against their own people. Had God pleased, He would have given them power over you, so that they would have taken arms against you. Therefore, if they keep away from you and cease their hostility and offer you peace, God bids you not to harm them."

The preceding two passages are from the Qur'an: "Women" (*Al-Nisa'*).

"Believers, do not seek the friendship of the infidels and those who were given the Book before you, who have made your religion a jest and a pastime. Have fear of God, if you

Feelings of religious conviction or identification have been magnified due to the religious element of the Sudanese civil war and in response to the religious ideology of the present administration. Those (particularly non-Muslims) from religious groups that feel their religious practices are threatened by the present

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are true believers. When you call them to pray, they treat their prayers as a jest and a pastime. This is because they are devoid of understanding."
"Say: "Shall I tell you who will receive a worse reward from God? Those whom God has cursed and with whom he has been angry, transforming them into apes and swine, and those who serve the devil. Worse is the plight of these, and they have strayed farther from the right path"."
The preceding two passages are from the Qur'an: "The Table" (*Al-Ma'idah*).
"Those who are forced to recant while their hearts remain loyal to the Faith shall be absolved; but those who deny God after professing Islam and open their bosoms to unbelief shall incur the wrath of God and be sternly punished. For such men love the life of this world more than the life to come. God does not guide the unbelievers."
The preceding passage is from the Qur'an: "The Bee" (*Al-Nahl*).
"Say: 'Unbelievers, I do not worship what you worship, nor do you worship what I worship. I shall never worship what you worship, nor will you ever worship what I worship. You have your religion, and I have mine'."
The preceding passage is from the Qur'an: "The Unbelievers" (*Al-Kafirun*).
see N.J. Dawood (translator), 1990. p.38,70,86,195,433.
"Chapter 2. The Statement of Allah "(We ordained therein for them), life for life, eye for eye [nose for nose, ear for ear, tooth for tooth and wounds equal for equal, but if anyone remits the retaliation (*Al-Qisas*) by way of charity, it shall be for him an expiation. And whosoever does not judge by that which Allah has revealed, such are the Zalimun (polytheists and wrongdoers of a lesser degree)]"."
"Narrated 'Abdullah: The Prophet said, "The blood of a Muslim, who confesses that *La ilaha ill-Allah* (none has the right to be worshipped but Allah) and that I am the Messenger of Allah, cannot be shed except in three cases: 1. Life for life (in cases of international murders without right i.e., in *Al-Qisas* - Law of Equality in punishment); 2. A married person who commits illegal sexual intercourse; and 3. The one who turns renegade from Islam (apostate) and leaves the group of Muslims (by invoking heresy, new ideas and new things etc. in the Islamic religion)"."
The preceding two passages are taken from "The Book Of *Ad-Diyat* (Blood-Money)".
see Dr. Muhammad Muhsin Khan (translator), *The Translation of the Meanings of Sahih Al-Bukhari*, Maktaba Dar-us-Salaam, Riyadh, 1994. p.1011-12.
The above mentioned passages from the Qur'an are those which deal with the issue of apostasy and religious freedom in Islam. The final two passages are taken from Imam Bukhari's collection of Hadith literature; said to be "The most authentic book after the Book of Allah (*Al-Qur'an*)..." Like all collections of Hadith literature, no collection is complete, nor completely reliable. What is authentic or not authentic Hadith will always be a matter of debate amongst Islamic scholars. The penalty of death for apostates from Islam, though widely accepted as the traditional or "premodern" penalty, is not accepted by all Islamic scholars. I am using the word "traditional" in a somewhat loose sense. Contemporary Islamic scholars put forth a wide variety of opinions on the justifiability of the death penalty for apostates from Islam. see Ann Elizabeth Mayer, *Islam and Human Rights: Tradition and Politics*, Westview Press, Inc., Boulder (Colorado), 1991.

administration are using their religious convictions as rallying cries against the Sudanese government. In regards to United Nations definitions of "Human Rights", a considerable number of interviewees singled out the issue of freedom of religion, including the right to leave one's religion,[465] as one the biggest issues confronting contemporary Sudanese politics and identity.

Mubarak (Interview No.2) and I talked about the notion of personal freedom in Sudanese society and in United Nations definitions of "Human Rights". As an example of personal freedom; in support of United Nations documents; and in response to my question regarding the desirability of a national religion in Sudan; Mubarak explained:

"I simply don't believe in ideas of a national religion. It's a way of trying to impose a religion on minorities -definitely. So I don't believe even you can interpret the United Nations convention about the right of the freedom of religion to mean that states have the right to declare a religion to be an official religion. I myself, I

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[465] Article 18 of the Universal Declaration of Human Rights states, "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."
Article 1 of the United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981) states:

1) "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have a religion or whatever belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching."

2) "No one shall be subject to coercion which would impair his freedom to have a religion or belief of his choice."

3) "Freedom to manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others."

see United Nations, *The United Nations and Human Rights: 1945-1995*, The United Nations Blue Books Series, Volume VII, Department of Public Information, New York, 1995. p.291-293.

cannot interpret this clause to mean that; no, no way. To me, this clause has to do with the personal freedom. You have the right to be whatever...you want to believe in; to be a Christian or whatever, a Muslim. So, there is no way to interpret the United Nations clauses about freedom of religion to mean that states have the right to declare a religion as an official religion. It just contradicts the sense of the clause, no way."

The topic of religion was the instrument Mubarak used to put forth his views on individual freedom. As the conversation went on, he expressed resentment towards ideas of African or Islamic unity, or an African or Islamic philosophy; in other words, a philosophy of life common to all Africans or Muslims.

Mubarak: "There is nothing to be like consensus in Africa, of the people of Africa, of the people of this country (Sudan) in Africa. Nothing like that. Among every nation in Africa, societies are diversified."

In support of Mubarak's claim that Africa -and Sudan- is too diverse for any sort of philosophical or cultural unity, at any level, Mubarak's friend added:

Friend: "This (idea of a philosophy of life common amongst all Africans or Muslims) is, I think, built on a completely distorted hypothesis that all people in the state, the given state which claims to have got their own nationals homogeneously living in the same religion without any exception,...are living uniformly to the same degree of fundamentalism...because Islam has got many, many sects and many, many schools in and of itself."

"They -those who are against the National Islamic Front- believe in Islam, but not this (Turabi's) version of Islam. So...you cannot claim that everybody feels the same degree of obligation towards Islam. So, I agree with Mubarak that this clause (Article 18 of the Universal Declaration of Human Rights) should not be understood or interpreted in the sense that it is for a state. It is just an individual thing."

Abdul (Interview No.7), more than any other interviewee, has the academic knowledge of both Islamic and 'international' perspectives on the freedom of an individual to change his/her religion. After telling me how *Sharia* (Islamic Law) in no way conflicts with International Law, and at my urging, the discussion narrowed to his personal opinions on the freedom to change religion.

[In your eyes] can a person change their religion?

"No! What rationalised the steps for killing the apostate were the new religious people (scholars). The apostate weakens the community, and that is why they killed him. [In] modern approaches...some scholars say if the apostate is a monotheist (Jewish or Christian), and is not causing the Muslim community to divide, then he should not be killed. But my own personal opinion [is that] I don't accept that someone should switch from their religion. But in religious interpretation, it (conversion) exists without killing the apostate."

"...I think this [-the notion of religious conversion-] depends on the person and his attachment to his creed. Whichever religion he has, if his attachment to it is weak and he...[has] questions raised to which he cannot find an answer, this should make him search...to find

the answers somewhere else -for example, another religion. But I have nothing to doubt, nothing I can't find an answer to. I know even in other religions, there are reasons which cause them to divide. So, in comparison with other religions, Islam is a curer of or encompasses all religions."

How do you feel about conversions into Islam such as the former boxer, Muhammad Ali?

"Obviously it is good. He came to believe in the Islamic religion. There are things apparent in Islam from four hundred years ago which are not dealt with by other religions."

Abdul later added:

"That I say I don't accept [conversion] is personal -separate from a logical understanding. [It is] an instinct. But in the end, Islam calls out to people (Islam accepts converts)."

As a practising Christian and as one who is financially supported by a Christian charity, Ghaali (Interview No.8) is greatly influenced by institutional Christian morals. After explaining to me the role of cattle in Nuer culture and what external support -including United Nations- is needed for the Southern Sudanese to overthrow the current Sudanese government in the name of "Human Rights", I wanted to find out what "Human Rights", as defined in United Nations documents, meant to him.

What are your thoughts on United Nations standards of "Human Rights" as stated in their documents?

"So, according to these, most of it what's called democracy or what we call freedom is the best thing in the world. You can [include] religion also. In the American...freedom of religious

activities. I think there is something I disagree with, [regarding] homosexuals. I heard through the media, but I did not see...[that] there is a priest who married...a man and another man. I think it happened...; so if the government or the churches allow this thing to happen, I think it is wrong, a very big wrong according to the [Christian] religious activities."

At the very beginning of the interview, Tayib and I had been talking very informally about the issue of religious freedom, including the freedom of religious conversion, in the context of Muslim Sudanese values. I told him that a big contention among some of the Muslim Sudanese I had met, regarding the International Bill of Rights, was the freedom to change one's religion. He replied:

"Because the Islamic verse does not allow you to change your religion, that is quite understandable. From an Islamic point of view one is not allowed to convert from Islam to any other religion, otherwise you would be subject to, let's say, a code of standards. Apart from this, for me it (United Nations standards on "Human Rights") is Human Rights."

Much of the discussion with Sara and Ibrahim revolved around the activities of the political opposition, of which both are actively participating. My question to them regarding religious freedom came just after discussing the standards of "Human Rights" as written in United Nations documents and the meaning of the word (or idea of) "freedom".

How about the freedom of religious conversion in an Islamic context?

Ibrahim: "Although it is against Islam...this kind of freedom is needed by the people...during this century. If we are talking about freedom...a human being should have the right to choose the religion he likes. Whether if he wants to be a Christian, why, if he wants to be a Muslim, it's up to him; if he wants to be without any,...it's up to him. This is personal freedom."

Rakiya (Interview No.10) is a devout Muslim and strong supporter of a Muslim political party. She explained to me that external assistance is needed to help overthrow the present Sudanese government and that there is justification for external support on grounds of "Human Rights" violations. She favours, though, sanctions (for example, economic and trade) over the use of an international military force, citing the problems which occurred in Somalia. In answer to my next question inquiring whether the United Nations standards of "Human Rights" are in agreement with her personal beliefs on "Human Rights", she responded:

"Generally speaking, yes. They (United Nations standards on "Human Rights") conform to what I believe to be a Human Right; but again, inside this there is this specificity of different countries. I cannot enforce that (freedom of religious conversion) in a Muslim country like Sudan,[466] because it will be more detrimental to the social set-up because there is this very strong belief [against conversion out of Islam]. When you enforce something -like religious conversion- that contradicts to the peoples' value, you bring more harm to that."

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[466] The nation of Sudan is officially called, "Republic of the Sudan". While the majority of its citizens are Muslim, Sudan is not officially an Islamic state, even though the government claims its laws are derived from *Sharia*.

Much of my conversation with Albert (Interview No.11) revolved around comparisons between "Human Rights" as defined in the United Nations and "Human Rights" as practised traditionally amongst the Dinka. He had just finished explaining to me the value of human life in Dinka society and how it favourably compared with the values expressed in United Nations documents on "Human Rights" when he went on to do the same with issue of religious freedom.

"Nobody in our traditional societies are described as animist [by the Southern Sudanese themselves]. Well, from our (Southern Sudanese) point of view that's an incorrect definition, because animism means worshipping objects, physical things which are not God.[467] In our societies, most of the societies, and I am not only speaking about my tribe, people know God, and God has a name in almost all these languages."

"...the issue of freedom of religion comes in here. In our society, there was no common religion that tied everybody. Each family or each clan could choose to select its own middle spirit through which they could communicate with God."

"I'm using this to elaborate one of the basic principles in our Southern community. That is freedom of religion; nobody ever tries to force another person to do...religious things the way he wants; which ties in to the international value of freedom of religion which is also enshrined in the Human Rights covenant. That's the point I'm trying to make."

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[467] The *Cambridge International Dictionary of English* defines "animism" as "the belief that all natural things, such as plants, animals, rocks, thunder and earthquakes, have spirits and can influence human events." see Paul Procter (editor in chief), *Cambridge International Dictionary of English*, Cambridge University Press, 1995. p.46.

It is obvious from the excerpts that there is not a consensus regarding whether or not one has the right to the freedom of choosing his/her religion. Rakiya, Tayib, and Abdul are all supporters of political parties which have an Islamic affiliation. All three were adamant that one is not permitted to convert out of Islam. Conversion into Islam, however, is a different story. Sara, Ibrahim, and Mubarak, on the other hand, though adherents to the Islamic faith, are not members of religiously oriented political parties; thus, their stance on the freedom of one to choose his/her religion was considerably more flexible.

Ghaali's position is one of slight ambiguity. He first claims to support religious freedom, then comments that he disagrees with same-sex marriages within a Christian context. I believe this conflict to be based on Ghaali's Nuer culture and mainstream (primarily Roman Catholic, Episcopal, and Presbyterian) institutional Christian morals; for his definition of freedom appears to not necessarily extend to Christians who practice in an unconventional manner.

Albert's explanation is most interesting as he describes the Dinka as being a religiously diverse society within themselves. In this way he neatly implies a comparison with religious diversity internationally, and that "Human Rights" as understood in the United Nations is fully compatible with the traditional values espoused in Dinka society. Taking into consideration that he is a spokesperson for Southern Sudanese political parties, and in hopes of gaining support from the international community (United Nations, United States, European Union, etc...) to overthrow the Sudanese government

in power, it makes perfect sense that he should paint Dinka society the way he did, conforming so nicely with 'international' values and standards of "Human Rights".

The issue of religious freedom is actually not any more a "vehicle" to trash the current 'regime' than it is an explanation of personal beliefs. Nonetheless, it was a frequently raised issue because of the strong religious element in Sudanese politics and the civil war. It was a "vehicle" to the extent that the interviewees employed it in conversations when one of the main topics concerned the religious orientation of the present Sudanese administration. The religious ideology of the Sudanese government is one which all of the interviewees expressed dissatisfaction with.

Democracy

If one counts the transitional military government of Lt. Gen. Dhahab which overthrew Nimeiri on 6 April 1985, Sudan is going through its fourth phase of experiencing military rule since independence on January 1, 1956.[468] In addition to their strong opposition to the current military government, most interviewees spoke out overwhelmingly in favour of Sudan's need for democracy.[469] I am not saying the two must go together, however, for it is possible to dislike a democratically elected government just as much as the military dictatorship it succeeded. This was

[468] General Ibrahim Abbud ruled Sudan from 1958 to 1964. Colonel Jaafar an Nimeiri was in power from 1969 to 1985. Lieutenant General Abd ar Rahman Siwar adh Dhahab overthrew Nimeiri and was the head of state until a coalition government was formed by Sadiq al-Mahdi in June 1986. General Omar Hassan Ahmad Al-Bashir has been in power since June 30, 1989.

[469] Democracy was frequently equated by the interviewees with political freedom in general.

expressed by some interviewees from Southern Sudan who explained that their situation had remained virtually unchanged, or at least had not improved, as power shifted from Nimeiri to Sadiq al-Mahdi via Dhahab. War and famine continued in the South regardless of who was the nation's political leader. Nonetheless, a return to democracy was seen by most interviewees as a desirable objective, and for some, was seen as the only way forward to a possible peaceful solution to the armed conflict in Sudan.

Abdel (Interview No.3) is active in the political opposition as a member of the UMMA Party. It is not surprising, since Sadiq al-Mahdi (leader of the UMMA Party) was the last democratically elected leader of Sudan before the military coup in 1989, that Abdel expressed "freedom" in the sense of the freedom for the people to directly elect their political leaders and representatives. Abdel explains:

"It's like I told you. One wishes for freedom because it achieves many many things for oneself. For instance, if I found freedom under the wing of a democratic system, I can go out and express my opinion on a certain issue which could be political, religious, [or] economic. This is important to me because if I cannot express myself, and we take the other situation (without democracy), there can be no criticism, no constructive criticism. Because if I don't have my freedom, I can't express my freedom, and so the other person only takes one side of the story. And this, we can say complements a democratic system. And the proof is that the democratic system includes the opposition (for example, the UMMA Party)."

"...the ordinary people in Darfur in 1980. They had asked to remove the governor...they didn't want. His negative qualities were greater than his positives qualities, and thus the simple people stood up and demanded this government to be changed; that his (governor's) term must be cut off. So, a person can express himself in this way if there is democracy. People can express themselves; for instance that this governor is not wanted, and thus through democratic means and available means for expression, people can talk to the concerned authorities that they...take away this governor and get a governor that they want. This is political freedom."

"This is part of freedom. If this had happened in a democratic period; had there been a democratically elected governor; people [would] have expressed themselves in a better way."

Malik (Interview No.5) and I spent at least thirty minutes discussing the development of the National Islamic Front (NIF), Sudan's political history since independence, and "Human Rights" movements in Sudan throughout the twentieth century. On the last issue, I asked him:

How applicable are the standards of "Human Rights" as stated in United Nations documents to Sudan and its people?

"...they (United Nations standards on "Human Rights") are very applicable, and...they were to some extent well known, and the Sudan has been well integrated into the international system, and to tell you the truth, the only obstacle which crippled the movement of Sudan as a civilised modern state to more integration with the international system was the military times in Sudan. From 1958-1964, when the military came, they rolled back the civil society of

Sudan. And then Nimeiri, from 1969 to 1985;...and then Bashir now from June 1989 until this moment; these are the major elements that drove back the movement of the civil society of the Sudanese people to be more integrated with the international system, including the Human Rights norms. And to tell you the truth, just when you open up democracy for the Sudan, 1986-1989, the Sudanese people through their government, they...signed and ratified the agreement on Civil and Political Rights; Economic, Social, and Cultural Rights; and the Protocol. Just within this time, you know. OK. So, that's why I'm saying the Sudan, as a civil society, has been well versed and integrated, and with acceptability and accessibility to having more of the Human Rights international norms. Had it not been for the military coups which occurred in Sudan several times; now we are at our worst standard of Human Rights in Sudan because this military coup is not only made of military generals or whatever, but it has an ideology which is very much anti-democratic and anti-peace."

Tayib previously held a high political position in the Sadiq al-Mahdi administration which was terminated by the military coup in 1989. As a politician, it was not unexpected that he should express "freedom" in political terms.

What comes to your mind when you think of "freedom"?

"Freedom for me is freedom of association, affiliation, freedom to take whatever decisions or actions that I want to take, provided these decisions are within the legal limits, and not violating the law. For me freedom is the freedom to organise political parties, affiliate to these parties, freedom of elections,

freedom to vote for whomever I think is qualified to lead me, to lead the country. This is freedom for me. Freedom in that context. It is not freedom only if I join let's say a certain party or I join a certain ideology..., what is going on in the Sudan is communism as a matter of fact. Communism in an Islamic packaging, if you could say that."

Amir (Interview No.9) and I conversed on the topic of support (for example, financial, military, media, etc...) the SPLM/A was currently receiving from abroad and what support they are hoping to receive in the future. To take this a step further; what justification would an external entity have for meddling in Sudanese affairs (for example, supporting the SPLM/A)? "Human Rights"? We also touched on the issue of external support (for example, financial, military, and moral support from Iran, China, and Iraq) to the Sudanese government, and how the international community should respond to the overall situation in Sudan, particularly the civil war. Before moving on to a different topic, I was keen to hear his personal opinions on "Human Rights".

How do your personal ideas on "Human Rights" coincide or conflict with what is written in United Nations documents?

"I think this matter of Human Rights is a delicate and complicated matter. And what is important is always the practice, not the Charter (of the United Nations), not [just what] all people are saying. In our country, there is no way for any system to respect the Human Rights...for citizens, unless this system [has] been a democratic system where there are mechanisms, where there are chances of correcting any Human Rights violations."

Nobody spoke with such fervour on Sudan's need for democracy in order to achieve peace than Isa (Interview No.16). When Isa claimed that he is unable to return home due to the current political situation in Sudan, I asked:

Do you foresee political changes in Sudan which would permit you to return soon, like in the next couple of years?

"I think it will not take a long time because Sudanese people, all of them,...want democracy; they like freedom, they like to choose their leaders."

After telling me how the world's major powers are deliberately preventing democracy from taking hold in Sudan, Isa continued:

"This is what I want to say to you because it is in your subject. Freedom; Human Rights; it only means democracy. If you have democracy, you have freedom. Human Rights is democracy. And when we have democracy, it means that it is peace. It is Human Rights. [There is] no war when we have democracy. If [we have] no democracy, it means we have war, we have problems, you have people against you, you have many, many things (problems)."

The interviewees expressed desire for a return of democracy to Sudan fits right in with the Sudanese love of discussing politics. Almost every interviewee, especially those mentioned here, had their own "two cents" to throw in regarding the need for the restoration of democracy to Sudan as necessary in enabling it to move out of its present condition -a condition of civil war and international isolation.

Those who are members of political parties in opposition to the present Sudanese government, particularly former politicians who lost their positions as a result of the military coup (for example, Tayib), are especially outspoken regarding Sudan's need for a return to democracy. To them, democracy is (or at least was expressed as) the strongest symbol of both "freedom" and a respect for "Human Rights". Besides, democracy could also put those, like Tayib, back in positions of power. Simply put, the issue of Sudan's need for democracy was employed by the interviewees as a "vehicle" to express, not only their displeasure with the current Sudanese government, but their desire to be able to return home to a 'normal' life in Sudan.

Section III: Important Others

After having looked through my field notes and listened to the taped interviews at least a couple dozen times, there were topics (or aspects thereof) which struck me, and which I felt unable to categorise or place under "Scripts" or "Vehicles". For lack of a suitable term, I am calling these topics "Important Others". These "Important Others" struck me precisely because I felt they were notable in my discussions with the displaced Sudanese. They were useful in the sense that they gave me an idea of how the interviewees value a human life; and from their eyes, what is seen as valuable for a human -simply for being human. Obviously, I am making judgements from what took place in the discourses on what are and are not "Important Others"; but making judgements such as these are inescapable. As mentioned earlier, I believe that an

understanding of the relationship between "Human Rights" and "human beings" for exiled Sudanese is important in attempting to understand what "Human Rights" itself means to them. The two most notable "Others", which will be discussed in this section, are related to the notions of "dignity", "humanity", and the "right to protect one's own body".

Right Of One's Body

Specific references to the body, in addition to descriptions of physical torture in detention or wounds sustained in armed conflict, were only made a few times in the context of what constitutes a "Human Rights" violation. To me, this was surprising given the number of interviewees who have been exposed to violence and bodily harm. Nonetheless, it was clear from three (Naomi, Robert, and Antonio) of them that a violation against the body does more than just the immediate physical damage;[470] the threat against one's body can be -and has been- used as part of the process of forced cultural change, sometimes referred to as "ethnocide".

Naomi (Interview No.4) had just finished telling me that Hassan Turabi is largely responsible for the forced Arabisation and Islamisation (or 'ethnic cleansing') of the Nuba people(s) when she explained:

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[470] Mabrouk, Mubarak, and Mustapha all talked about their own personal experiences in being subjected to severe physical torture. However, torture (or other forms of bodily harm) per se was not mentioned by any one of them as a "Human Rights" violation. Rather, torture was talked about in the context as a consequence to subscribing to political views in opposition to the current 'regime' in power. At their request, I have not transcribed their personal experiences of torture for this thesis.

"We (the Nuba) are not against anybody, but there is gross violations of the Human Rights. You see, I can be working in my farm, and then somebody comes and kills me. This is a gross violation. I cannot keep quiet."

"There were gross Human Rights violations of the Nuba women, because according to the regime now they are the public property of the soldiers in the region. You see there is daily rape of women, and they take them to the camps to do the cooking, and all these kinds of things. Any man can rape her, any man can use her the way he wants. You see, this is in the present regime."

Rape is arguably the most potent method employed by those participating in the 'ethnic cleansing' of the Nuba.[471] Naomi stressed this point not only during our interview, but at several other times we spoke on the topic of "Human Rights".

Another example of this was given by Robert (Interview No.15) at the beginning of our meeting. Robert spent a few minutes explaining to me how the culture of the Taposa people has been altered since the independence of Sudan forty years ago. He expressed the alterations to the Taposa way of life in only negative terms; saying that Taposa culture "since 1955 up to nowadays...[has been] spoiled by the Arabs". I proceeded to ask:

What was your culture before the change?

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471 "A central component of the genocide is the Sudan Government's policy of rape. Women are raped as they are abducted, raped on arrival in garrisons, repeatedly raped in peace camps or labour camps, or forcibly "married" to soldiers for the duration of the soldiers' tours of duty. Some women have been raped dozens, even hundreds of times. Every woman who has been in a peace camp has either been raped or threatened with rape. Girls as young as nine years old have been raped. The aim of the policy is to destroy the social fabric of Nuba society society by raping every single woman." see Yoanes Ajawin and Alex de Waal, *Facing Genocide: The Nuba of Sudan*, African Rights, London, July 1995. p.3.

"The culture change...[is only] in some parts -...[it includes] circumcisions and all these. Before '55 there wasn't any circumcision at all..., [but now] we are forced to be circumcised, because...they (Arabs) are a majority."

Reference to circumcision came up time and time again in my two days spent with Robert and his friends. Male circumcision appeared to be one of the strongest ways of robbing the Taposa of their Taposaness. Circumcision was seen by Robert as the biggest weapon used by the Northern Sudanese -'Arabs'- in their attempts at forcibly Islamising the Taposa.

A third example was given by Antonio (Interview No.17) when, as soon as Jimmy and the other man finished their presentations describing to me the torture they went through while under the care of Northern Sudanese medical personnel, I attempted to ask Antonio and Manut a question on the standards of "Human Rights" they subscribe to. Before I could finish my question, Antonio forcefully interjected:

"Well, yes. I got your point. There are so many rights; financial rights, political rights. These are called rights, but among all these rights there is [the] top right which has first priority. In [the] universe, the first right which can be...violated is the right of man and his life to exist. To live. In the shortest form, the right of your own body. The body! This is the first right. You can defend it by any means. Okay! If anything enters your body without your consent, I mean without your agreement, that is a violation of a Human Right. That is the first right."

No other interviewee put such stress upon the right of one to protect their own body like Antonio did. I mentioned earlier that he is attending university in Cairo as a Law student.[472] Perhaps his academic background in Law has influenced him to prioritise the "right of your own body" over other rights.

Having read a considerable amount of literature on Sudan's "Human Rights" state of affairs and given the level of violence in Sudan since independence, the right of one's body, or the right of one to be free from bodily harm, as a separate issue did not come up as much as I thought it would. As mentioned earlier, I was most surprised that the topic of Female Genital Mutilation (FGM) was not raised by a single interviewee. Robert's reference to male circumcision represents the only time in my fieldwork when the issue of 'circumcision', regardless of type or form, was introduced by an interviewee.

Dignity And Humanity

The notion of "humanity" or what it means to be a "human being" was a topic I brought up on numerous occasions, particularly early on in the fieldwork. The interviewees, however, tended not to respond too well to my enquiries; but, terms related to the issue of what it means to be "human" were brought up a number of times by the interviewees at their own initiative. I am referring to terms

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[472] Antonio made it a point to tell me several times that he is studying Law as a way of trying to convince me that he is particularly qualified to speak on the topic of "Human Rights".

such as "human", "human being", "humanity", and "dignity".[473] All these terms relate to what I believe to be the lowest common denominator -a person or individual- in anything having to do with the notion of "Human Rights". The term, "Human Rights", by definition is oriented towards individuals, not groups.[474] As defined in *The Chambers Dictionary*, "Human Rights" is "the right each human being has to personal freedom, justice, etc..."[475] So, without saying one is for or against "Human Rights", if one does not support any form of individual liberties, then by definition, one is not supportive of "Human Rights".[476] I believe it is very important in attempting to understand what value "Human Rights" has amongst a group of people to understand something about the value these people place on human life. In essence, what rights are humans entitled to by virtue of their humanity or humanness?

Abdel (Interview No.3) and I spent time discussing the living conditions in Egypt for the Sudanese and how it compares with life back in Sudan. Although he expressed that he is better off at the moment in Egypt than he would be in Sudan because of the current political situation, he gave me the impression that life is a bit grim not being able to return home, even though Egypt is considered by

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473 "Dignity", according to Tore Nordenstam, "plays a crucial role" in Sudanese ethics. Nordenstam claims that "dignity" is "other-determined". In other words, one's "dignity" is "entirely dependent upon other people's attitudes and actions". see Nordenstam, 1968. p.98-101.

474 To define the term, "Human Rights", is different than defining (or attempting to define) the notion of "Human Rights". The term, "Human Rights", evolved out of a particular geographical and historical setting, whereas the "Human Rights" notion -as far as anyone can tell- did not. see Chapter One.

475 Catherine Schwarz (managing editor) and Robert Allen (editorial director), *The Chambers Dictionary*, Chambers Harrap Publishers Ltd., 1993. p.814.

476 On the flip side of the coin, saying one is for or against "Human Rights" does not necessarily explain whether one is for or against group oriented rights.

many as the best place for Sudanese to live outside of Sudan.[477] I wanted to know, ideally speaking, what would constitute "freedom" for him.

Can you explain to me what " freedom" means to you personally?

"Hurriya (Freedom)! Freedom is the most precious quality of the human being. If it weren't for freedom, humanity itself would not exist. Humanity is based on freedom. Freedom...of speech. Freedom of expression. Freedom in everything is perhaps the only characteristic which people call for. Freedom should also have limits. [For example], I respect your point of view, you respect my point of view. Freedom for humans is an eternal necessity, but with its limits."

David (Interview No.6) and I talked largely about the SPLM/A and survival strategies of the displaced Southern Sudanese and Nuba in the context of Sudan's ongoing civil war. As previously mentioned, I was very surprised at how open he was in discussing his activities in the SPLM/A. When the discussion veered towards the Nuba people as an indigenous people and himself as an indigenous Sudanese, I inquired about his 'indigenous' definition of "freedom".

Personally, what does "freedom" mean to you?

"Freedom means...as I have been born. To live on my own. And everybody should respect me, as well, I have to repeat the other one. You got me! I should be respected in my behaviour, in my work, for my wishes, my ideas. I have to respect the one, as well I need him also to respect me."

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[477] Egypt is referred to by some Sudanese as a "second home".

"I have been created as a human being. I don't [want to] be looked [upon] as...a second class citizen. I don't want to be looked as a superior. I want to be proud of myself."

Amir (Interview No.9) had just finished giving me his personal opinion on "Human Rights", specifying the importance of "Human Rights" in practice over mere words in documents such as the International Bill of Rights. He spoke of the necessity for democracy in monitoring the state of "Human Rights" in Sudan; but was not clear, though, about the standard of "Human Rights" to be monitored. I followed up by asking:

..."Human Rights" violations based on what standard?

"The standard of Human Rights; there are a lot of discussions these days whether the measures which have been adopted by the international community, whether they are measure(s) which are concerning only the white man, whether they are contradicting our culture, our tradition. I think there could be an international standard of Human Rights which [is] based on the respect of the dignity of the human being."

"Freedom means the situation of dignity for the human being, regardless of his religion, social background, and race. That's what comes to my mind. People should be equal. Equality. Freedom means equality -if you want me to put it in one word."

Nyot and I were discussing the possibility of intervention on the part of the international community in helping to end the violence which has plagued Sudan for so long. Nyot specifically mentioned that an active role should be played by the United Nations, United States, United Kingdom, and France, among others, in ending

the current system of Northern political and cultural domination in Sudan. I next asked him:

From what you know about the United Nations documents on "Human Rights", what are your feelings on the "Human Rights" standards written in these documents?

"The attitude of the Human Rights (as defined by the United Nations) as it is, is a good definition that we can [use to] protect the humans in this world. Because [the] world now...has weapons...that can kill a person immediately. So it is us, as humans, to understand what is Human Rights. It is to protect humans."

What does the word "freedom" mean to you as an individual and as a Sudanese?

"It is a good word because...freedom...is my demand really in life. It is a good word because "freedom" means a lot. If I am free, I will [not]...feel...hunger, I will...[be free from]...disease, I will...[be] without fear,..., I will be everything in my life. So the "freedom" is a very important word itself to me, because how could I be free if I am always in fear of somebody...killing me? How could I live if somebody is always looking at me that this man...[is] different in this and this? How could I be free in my place if I cannot even get food,...[or medical] treatment,...or anything? That means the freedom is everything of the life for myself;....but the freedom of all is my dignity. That, is to respect myself and to respect another human being."

How do you respect another human being?

"Yes, of course. I am a Christian. Jesus says: "Love each other,...love your brother like yourself". This world 'love', is a very

big word in the Bible. So, for me, to love a person, it means that he is your brother in blood, in the humanity. That is it exactly."

Isa (Interview No.16) contends that in his lifetime, 'third world' countries have not been permitted by the major powers to join in the 'first world'; and he seems confident that this trend will continue. He brought up the issue of people's "dignity" and stated that the Sudanese are very different from most peoples of the 'third world', to the extent that they would rather die of hunger than beg. He mentioned that the situation for Sudanese in Egypt has led some to sell their kidneys;[478] that:

"...the dignity of the Sudanese man, it is better to sell the kidney than to ask, "Please, give me money"."

All used terms related to the issue of what it means to be "human" in explaining what "freedom" meant to them. As I mentioned earlier, conversations usually stalled when I introduced questions inquiring about the interviewees' definitions of terms such as "human being" and "humanity". The term "freedom", however it was introduced into the conversation, seemed in some way to trigger something in some of the interviewees into bringing up the notion of "humanity", and what it means for a "human being" to live with "dignity". I believe Albert (see Interview No.11) speaks for all five, and possibly every interviewee, when he states, in reference to

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478 Festus Ufulle Ga-aro reports of Sudanese in Cairo telling him stories about the selling of kidneys. see Festus Ufulle Ga-aro, *Combined Survival Strategies: The Case of the Displaced Sudanese in Cairo*, Masters Thesis, Oxford Brookes University (UK), October, 1995.

values held by the Dinka, that "human life is sacrosanct. It's the ultimate value. The preservation of life is the ultimate value."

Conclusion

The interviewees presented here represent a wide variety of displaced Sudanese -in class, ethnicity,[479] language,[480] region,[481] age,[482] profession, etc... Undeniably, the proportion of formally educated and politically active Sudanese interviewed, exceeds the proportion of formally educated and politically active Sudanese -in and out of Sudan. This is evidenced by the number of interviewees with whom I communicated in the English language and by the disproportionately high percentage of interviewees who were men. In Egypt, most interviews were arranged by referral. In other words, connections would lead to more connections and so on. Generally speaking, it was the educated and politically active Sudanese who had friendships and connections with people from the various regions of Sudan, largely as a result of having met them previously in the cities of Sudan, while studying or working. The uneducated tended to stay amongst their own. Their lives, previous to displacement, usually revolved around the villages and towns from which they came, and so many had rarely travelled outside of their own district. This closeness continued for them in Egypt because they were there in sufficient numbers which enabled them to form

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[479] The notion of "ethnicity" -"...the identification and labelling of any grouping or any category of people, and the explicit or implicit contrasts made between the identified group and another group or category"- played a large role in the self identification of most interviewees. This notion was overwhelmingly expressed in terms of belonging to a particular 'people' or ethnic group. see Charlotte Seymour-Smith, *Macmillan Dictionary Of Anthropology*, Macmillan Press Ltd., London, 1986. p.95.

[480] By "language", I am referring to the native tongue of the interviewees; not the language which was used to conduct interviews.

[481] I am using the word "region" very loosely. I am not using it to mean any of the twenty-six administrative districts, but more to mean the generally understood geographic sections of Sudan -such as Darfur, Equatoria, and Kordofan.

[482] The ages of the interviewees ranged from the late teens well into the sixties.

their own communities -frequently by tribe- and thus regard other Sudanese groups, to a certain extent, as different peoples -like different nationalities. These communities are more or less social groups, which either meet at private homes or church community centres. They are not communities in the sense of constituting a geographical urban neighbourhood.

The educated and influential (well-known) Sudanese are networked together. Not that they all know each other personally, for there are just too many of them; but if I needed to meet with a particular intellectual, one would be able to lead me in the right direction to locate him/her. Certain members of the intellectual community, especially those who belong to organisations concerned with humanitarian issues, were also familiar with those outside of it. So to make what I thought was the best use of my time, I sought the assistance of the intellectual and politically active Sudanese community to help diversify my study, making it clear to them that I was interested in meeting a wide range of Sudanese, meaning that I did not want to just meet with exiled politicians and university teachers.[483]

I arrived in Cairo with a name and telephone number given to me by a young Sudanese lady studying here in the United Kingdom.[484] A simple telephone call brought me my first connection, a Sudanese painter. He led me to the Sudan Human Rights Organisation (SHRO), which in turn led me to Kareem, my frequent companion for many

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[483] Those in exile who have political connections or are former university teachers are arguably the easiest to set up interviews with; at least in my case. This is so simply because of their connections with other intellectuals.

[484] This lady had been studying in Norwich (UK), but has since returned to Sudan.

interviews. Kareem and I struck up a friendship, and at that point I began, with Kareem's help, to plan out a fieldwork (interview) schedule. Knowing that he was from western Sudan, I asked him for contacts with Sudanese from Darfur. He put me in touch with members of the Daju, Fur, Zaghawa, and Gimr peoples. On a smaller scale, this process worked out similarly in Kenya, for when I went to Kakuma Refugee Camp and met with the head representative (Richard Deng) of the Sudanese community, his connections led me to members of the Taposa, Dinka, Nuer, Shilluk, Didinga, and Latuka peoples.[485] Kareem and Richard Deng are just two examples of the many people within the Sudanese intellectual and politically active community who put me in touch with a diverse group of Sudanese -intellectual and non-intellectual. People who are not politically active, nor members of the intellectual community, do not have such diverse connections, nor do they always know how to make those connections. They just do not have the resources. A connection can be as simple as knowing where people go to hang out, for example at a particular *qàhwah* (café). It is the active intellectual Sudanese who know the various locations where different (various) Sudanese can be found. They are more aware of their surroundings (for example, the different neighbourhoods in and around Cairo) and what is going on around them (for example, special events taking place). The importance of meeting with intellectuals for connections into the Sudanese community as a whole was invaluable. I could not

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485 After a brief introductory meeting with Richard Deng and his chief assistant (Joseph), Richard asked, "OK! Which groups are you interested in meeting with?". By this question, he was offering to put me in touch with whatever Sudanese group of people I was interested in meeting at Kakuma Refugee Camp.

ignore them (intellectuals), and expect to have completed as thorough and diverse a study.

To say that I was more or less at the mercy of the interviewees could easily be expanded to mean I was more or less at the mercy of every displaced Sudanese I met during fieldwork. Because I had to rely on connections from one Sudanese to another in helping to arrange interviews, the people I interviewed were largely decided upon by the displaced Sudanese. So it was not only during the interviews when I was at their mercy, but throughout fieldwork. Connections were only made when the people who were doing the connecting approved. Even though I let it be known to them I was interested in meeting a wide variety of Sudanese, the reality was that I met and interviewed those who they thought it was good for me to meet and interview. I was never in a position to disagree with who I was recommended to interview; for if I did, I would risk jeopardising my reputation and fieldwork. The only loser could be me. Sure, some interviews such as the one with Saul occurred on the spot; but that was the exception to the rule, for in the end I had no choice but to go along with how my fieldwork was being designed -consciously and/or unconsciously- by the displaced Sudanese.

The present conflict in Sudan takes on many dimensions.[486] The tribal element is one of the most complex given the number of tribal and clan divisions. These divisions are frequently alleged to be exaggerated by external elements (for example, foreign

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[486] Among the many dimensions to the Sudanese civil war are 'race', 'colour', 'religion', 'tribe', political affiliation, and language. see Francis M. Deng, 1995.

governments and "Human Rights" organisations) and the warring parties for their own political agendas -for example, the perception that the Sudanese government represents Arab Muslims, John Garang's SPLM represents Dinka Christians, and Riek Machar's SSIM represents Nuer Christians.

The notion of belonging to a particular group played a large role in the self-identification of the interviewees. All but a couple of the interviewees equated ethnicity with 'tribal' affiliation. Interviewees largely spoke of their people's culture as their own culture, and of other people's cultures as cultures not their own. Typical of most interviewees from Southern Sudan was their need to tell me they were Southern Sudanese. In this way, they were distinguishing themselves from the 'Arabs' (or 'non-Africans') of Northern Sudan. This need to distinguish occurred less frequently amongst those from Northern Sudan; and when it did, it was usually from non-Arabs, such as Nuba, Beja, Daju, or Zaghawa. For example, on being Nuba, arguably the most 'vulnerable' people(s) in Sudan today, both Naomi (see Interview No.4) and David (see Interview No.6) stressed their 'indigenousness' and that they do not wish to be treated as second class citizens in their own country. Many of the Southern Sudanese, and others from 'African' peoples, feel they are being (and have been for a long time) marginalised by successive 'Arab' Northern Sudanese dominated governments. Like with the issue of religious freedom, those who feel they are being discriminated against simply for being Southern Sudanese are using the "Southern Sudanese" identification as their marker and a source

of inspiration in an attempt to overthrow what they perceive to be Northern Sudanese hegemony.

Perhaps this feeling of being bonded to one's particular group could be seen as something typically Sudanese. Not that it could not be just as typical somewhere else however; for the only references by the interviewees, themselves, to something typically Sudanese was their reputation for hospitality, their love of political discussion, and the amount of sugar they use in hot tea. (No joke intended.) The point is that very few interviewees spoke of Sudan as having a cultural bond which could tie them together as Sudanese.[487] The same could be said for their expressed ideas on "Human Rights". In the end, the only conclusion I can make from my discussions with the displaced Sudanese is that there is no such thing as a Sudanese definition or version of "Human Rights". The notion of "**Human Rights**" is more or less an empty "tool-box" which was filled with whatever tools ("terms" and "notions") the interviewees felt useful to employ in our discussions. "Human Rights" is "religious freedom" for those interviewees who believe they have been denied the right to practice their religion. "Human Rights" is what Americans have for those who wish for American intervention and assistance in overthrowing the 'regime'. "Human Rights" is "going home"; "Human Rights" is "peace", it is "justice", it is "dignity", and "Human Rights" is a host of countless other words and ideas. These "tools" change from interview to interview, interviewee to interviewee, discussion to discussion, and from topic to topic. Simply put, "Human Rights" is

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[487] Isa was an exception in that he expressed all Sudanese as being part of one great big 'family'.

a term devoid of meaning until someone puts something -a term or idea- into the "tool-box" and gives it meaning. Undoubtedly the major use for the term "Human Rights", because of the personal experiences the interviewees have gone through as a result of the political situation in Sudan, was as a 'whip' with which to beat on the current Sudanese 'regime'. Throughout fieldwork, the most notable trait on the part of the interviewees was simply their constant preoccupation with criticising the present government of Sudan.

My fieldwork was concerned with investigating if the notion of (and term) "Human Rights" means anything to the exiled Sudanese in the United Kingdom, Egypt, and Kenya; and if so, what does "Human Rights" mean, how is "Human Rights" discussed, and what are the contexts influencing the way exiled Sudanese discuss or express "Human Rights". "Human Rights" is neither a term, nor a notion alien to many of the displaced Sudanese I encountered. Almost all the Sudanese I met had much to say on "Human Rights". Perhaps what they said was not what I had expected to hear, but nonetheless "Human Rights" was a topic they felt very comfortable to discuss; and there is no doubt that including "politics" into the discussion was a prerequisite.

Though I have learned much from my discussions with the displaced Sudanese, I do not now claim to know what "Human Rights means to them; for from my own anthropological point of view, there are as many Sudans and Sudanese ideas of "Human Rights" as there

are Sudanese and contexts in which Sudanese discuss "Human Rights".

Conclusion

The Conclusion is not so much a bringing together of all the chapters into a single cohesive whole as much as it is bringing to a conclusion this thesis with final thoughts on Anthropology and "Human Rights", my responsibilities as an anthropologist, and my relationship with the displaced Sudanese.

"Relativism" and "Universalism": Closing Remarks

I would first like to briefly touch on the notion of "universalism". The idea that the anthropologist can claim to uphold the doctrine of "cultural relativism", and by virtue of this be absolutely opposed to "universalism", is ludicrous because Anthropology, itself, is based on the 'universal' belief that all people share the common bond of being members in humanity.[488] More scientifically speaking, all members of the subspecies *Homo sapiens sapiens* are members of humanity by virtue of belonging to that subspecies. The recognition of all people as members of humanity is undeniably a basic assumption in the discipline of Anthropology. It is this recognition which anthropologists have also attempted to pass on to their readers. Let me give an example of an anthropologist who has conducted fieldwork on eating habits in Nepal. Based from his/her fieldwork, the anthropologist goes on to describe and/or explain in writing various aspects of the people(s)

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488 "A fundamental principle of modern anthropology is that of human universalism: all peoples are fully and equally human. Whether San, Navajo, or Celt, we are all one species. No group of people is "closer to the ape," and none is more highly evolved than any other." see Michael Howard, *Contemporary Cultural Anthropology*, Harper Collins College Publishers, New York, 1993. p.2.

he/she studied on the assumption that he/she is describing people, like you and me. In other words, because a people of the Kathmandu Valley happen to eat food differently from the way I eat food -using the right hand as opposed to a fork- does not in any way imply that they are less human than I am.[489]

Anthropologists have a tradition of stressing that differences do not constitute inequalities or deficiencies. Differences are precisely what give humanity a character of "plurality". "Plurality", therefore, does not necessarily negate "universality".[490] Steven Lukes and Martin Hollis 'rationally' argue, in *Rationality and Relativism*, for the necessity of a "bridgehead" of 'universals' for a better understanding of human "plurality" and "cross-cultural variation".[491] In other words, both advocate an assumed "bridgehead" of human commonalties as a prerequisite for the discerning of human differences.

Their view comes back to a point stressed in Chapter 2; that at the very least, "universalism" is not necessarily incompatible with "cultural relativism". Lukes' and Hollis' belief in cross-cultural comparative research as a tool for observing similarities and differences between peoples echoes some of the ideas put forth by

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489 This example using a fictional anthropologist is based from my own experience in Nepal for three months in the spring of 1993.

490 If the notions of "relativism" and "universalism" can function as complements, rather than as adversaries, is there really than a "relativism"/"universalism" dichotomy?

491 Martin Hollis and Steven Lukes (editors), *Rationality And Relativism*, Basil Blackwell Publisher Limited, Oxford, 1982.

contemporary anthropologists engaging in issues pertaining to "Human Rights" (see Chapter 2).[492]

A point I want to stress is that the notion of "universalism" -in talking about "Human Rights"- has been too quickly assumed by many -including anthropologists- to mean the values espoused by the United Nations and/or the 'international community'. This is very much a trap which should be avoided. I, like most of my friends, have my own personal ideas of what are universal characteristics and universally held beliefs, yet this says nothing about my opinions on the 'universal' "Human Rights" documents of the United Nations. As I discussed in Chapters One and Two, the notion of "universalism" or a shared humanity existed long before the United Nations ever came into being. It must be clearly understood that "universalism" in the institutional sense is a completely different notion from "universalism" in the personal (or human) sense. They are two distinct levels, which may or may not come together at all or any points.

As discussed in Chapter Two, in order to make positive contributions to "Human Rights" debates in whatever arena, be it political or academic, concerned anthropologists should learn to view "cultural relativism" and "universalism" as complementary to one another. Doing so will only add to their constructive discourses on "Human Rights". In Chapter Two, I explained that the cultural sensitivity and awareness exhibited by anthropologists would make

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492 Bryan R. Wilson (editor), *Rationality*, Basil Blackwell Publisher Limited, Oxford, 1970.

them particularly useful in international forums and debates on "Human Rights". This is in addition to other assets anthropologists carry with them such as their global outlook (or "wide angle lens") and their knowledge of peoples of the developing world. "Cultural relativism", a doctrine central to the discipline of Anthropology, and one which largely sets Anthropology apart from other disciplines, should not be allowed by anthropologists to be manipulated in a manner which renders them speechless and powerless when they are well informed to injustices -such as slavery, torture, murder, etc... In other words, anthropologists should not let one of their chief tenets be the major stumbling block to their participation in "Human Rights" activities. If they do, then part of the intended purpose of the 'modern' doctrine of "cultural relativism" -supposedly to protect the people(s) studied by anthropologists- is lost. Simply put, "cultural relativism" is an unacceptable excuse for not speaking up when intimate knowledge of injustice in known[493] -regardless of whether or not the anthropologist is keen on engaging in "Human Rights" activities.

While the ongoing "relativism" versus "universalism" debate is of major interest for many anthropologists concerned with "Human Rights" issues, it is not of primary importance to this thesis because it is not an argument I am concerned with perpetuating. With or without me, the debate will rage on. I am not going to deny that any thesis on "Human Rights" will be scrutinised from the angle

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493 I am in no way intending to imply that there is no excuse for keeping ones mouth shut. All I am saying is that "cultural relativism" is not an acceptable excuse in my opinion.

of "relativism" versus "universalism";[494] but I do believe that it is possible to write a thesis on the subject of "Human Rights" and not be overly concerned with furthering the debate. Regardless, "Human Rights" is a topic which continues to receive growing attention from anthropologists -in and out of the academic community.[495]

My Role and "Satisfaction"

Rather than state what I believe is the responsibility of anthropologists to their informants/interviewees, I will simply explain what I felt, and continue to feel, are my responsibilities to the people who made my research and this dissertation possible. My responsibility extends beyond just writing the thesis. I may have thought once fieldwork had ended that my relationship with the displaced Sudanese would end. This proved, however, not to be the case for I have remained in contact with several interviewees and acquaintances for various, yet similar, reasons. They are similar in that most of those continuing to write to me do so in a way to ask for help. What they have specifically asked for has varied from money (American Dollars) to shoes to cameras to university application forms to reference letters in support of their refugee status applications with the United Nations High Commissioner for Refugees (UNHCR). I have always made the time to answer their letters in as timely a fashion as possible; meaning that for the past

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494 The "relativism"/"universalism" 'dichotomy' is usually one of the first issues raised when I have discussed my research topic with other post-graduates.

495 As I complete this dissertation, a new book on "Human Rights" from an 'anthropological' view point has just come off the press: Richard A. Wilson (editor), *Human Rights, Culture & Context: Anthropological Perspectives*, Pluto Press, London, 1997.

couple of years, the displaced Sudanese whom I came in contact with during my fieldwork have been a top priority. I would be lying if I said I have always responded to their requests in the manner they were hoping. For example, I never sent cash through the mail to any of them. I have, however, in addition to writing regularly just to keep in touch with them, written several letters of reference on their behalf and sent many packages. I do these things partly out of sympathy, for I have been intimately exposed to their situation, but mostly because of the great treatment I received from them.[496] Without a doubt, they have a special place in my heart.

As I wind down this thesis, I find myself asking, "What have I really gotten out of the whole Ph.D. experience?". For me, perhaps the greatest satisfaction has come as a result of those displaced Sudanese -who I have kept in touch with since the end of my fieldwork- whom have had their dreams fulfilled by being able to leave Egypt and move to the United States. All of those who are now in the United States had specifically told me in Egypt that they were desperate -not necessarily to get to the United States, but to leave Egypt. As mentioned in Chapter Four, Sudanese are not recognised as refugees in Egypt; and many, particularly those from Southern Sudan, are living in appalling conditions. In addition, they frequently complained to me of daily racist harassment.

While conducting fieldwork in Egypt, I arranged for a meeting with Catherine, an employee at the American Embassy in Cairo, to

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[496] The requests I always have to ignore are those asking for substantial sums of money. However, I always make an effort to reply in writing.

ask her some questions about the American government's position on the situation of the displaced Sudanese in Egypt. I also asked her if she would please meet with and hear the cases of a couple of families I know. The first consisted of a single mother (Elizabeth) with three daughters, while the second was a husband and wife with four children. In answer to my request, Catherine remarked, "I used to think like you". She was referring back to her days as a naive young student. I felt a bit annoyed at the comment, but realised there was nothing more for me to say. Low and behold, roughly a year later Elizabeth took a chance one day and went over to the embassy herself. (Elizabeth claimed to have been previously denied entry to the American Embassy on several occasions.) She was able to have a meeting on the spot with Catherine, and luckily for her, Catherine began the process for her and her daughters to be able to come to the United States. When meeting with me, Catherine was very quick to make the judgement that Elizabeth and others were simply using me. She 'warned' me to be careful. Maybe I was used; but if that was in fact the case, then so was Catherine. And if so, there is no shame in that, for I am only too grateful things worked out as they did. Elizabeth is now happily living with her three daughters in California (see Appendix).

By keeping in touch with me and being my friend, Elizabeth and others have allowed me to share in their happiness and joy.[497] These were people who -when I first met them- had nothing, but gave me everything. Their happiness has been my greatest satisfaction.

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[497] A particularly memorable event was going out to Sioux Falls, South Dakota, to visit with several Nuer I had first became friends with in Cairo. The experience was one of the highlights of the Ph.D. process.

Final Words

The crux of this thesis is not about Sudan or Sudanese society, but about the way displaced Sudanese discussed "Human Rights". Whether or not the interviewees accurately portrayed Sudan was not my concern. My concern was focusing on how the displaced Sudanese spoke about and employed the notion (and term) of "Human Rights". The way they communicated with me was directly relative to their circumstances as displaced Sudanese and their perceptions of me. Their circumstances in Egypt, Kenya, and the United Kingdom, coupled with the situation they left behind in Sudan which brought them to these countries, has had a direct influence on their perception of life -especially, what is most important in life. I believe that as their circumstances (and needs) have changed, their ideas on "Human Rights" changed. "Human Rights" is neither stagnant in definition nor scope. The important element here is that regardless of how much the displaced Sudanese know about the historical development of the term "Human Rights" ("*Huquq al-insan* "), it was a term (and concept) most were very free to use.

There are two final questions I wish to answer.

The first: What have I learned after spending the last four years conducting research and writing a thesis? I have grown to realise that the topic of "Human Rights" is more complex and politically loaded than I ever imagined. "Human Rights" is not only a concept which has been elaborated on paper, but is a notion which can be used as a very manipulative tool and potent weapon. This was clearly demonstrated by several of the interviewees.

The second: Have I contributed anything in writing this dissertation? As I mentioned in the Introduction, one of my objectives was to provide a different perspective on "Human Rights" by emphasising the views and opinions of the displaced Sudanese with respect to their own perceptions of themselves as exiles. I believe the ultimate contribution would be if the thesis could be used to actually help the displaced Sudanese by influencing the powers that be -particularly the United States, the United Kingdom, France, Egypt, and the United Nations- to take action because there is simply too much suffering.[498] However, I will be most content if the thesis can at least contribute to a better understanding of their circumstances.

[498] Throughout the thesis I have emphasised the United States' position on the situation in Sudan more than any other country. This is because Sudan's ideological war of words is targeted much more at the United States than, for example, the United Kingdom or France. Sudan and the United States have been at each others throats for several years now. Tension substantially increased after the Sudanese government was accused by the American government of playing a role in the World Trade Center bombing a few years ago.

Appendix

Elizabeth Nhial Deng Mac (Hadayek al-Maadi, Cairo: October, 1994)

"Like me now, I don't have [my] husband, and I don't have any [of my] parents here. I am alone with my kids. Who else will be my father and brothers and sisters? I think that -[to have ones family]- should be a Human Right. If Human Rights do not help me, who will help?" These are the words of Elizabeth when describing to me what "Human Rights" means to her. She comes from the town of Bor, along the White Nile in the Southern Sudanese administrative district of Jonglei. She, at thirty one years of age, has lost he husband, father, two brothers, and sisters in the Sudanese civil war. Her mother, whom she has not seen in more than a dozen years, had recently been rumoured to be at a refugee camp in northern Uganda. Up until 1993, Elizabeth had presumed her mother to be dead.

Elizabeth has lived in Egypt for three years with her three daughters, aged six, nine, and eleven respectively. I had visited her and her daughters on a number of occasions in their apartment in the Hadayek al Maadi section of Cairo. Elizabeth was not just an interviewee, but a friend on whom I could drop over for a visit at any time. Where Elizabeth and her daughters are now, I do not have a clue. The last news I heard, she had moved up to Alexandria. Like many of the Southern Sudanese who came to Egypt fleeing either the violent conditions of war or domestic policies of the current government in power, Elizabeth must largely fend for herself and children. She has a few relatives -not immediate- in Cairo, and has become active in local Southern Sudanese women's groups. Although

she obtained a nursing certificate in Wau (Western Bahr El-Ghazal), she has been unsuccessful at securing steady employment. In fact, she has found no employment in the nursing field in Egypt. For about one month, she worked as a maid/servant at the home of an American expatriate who paid her an insultingly low wage and demanded that she worked like a slave at least twelve hours per day, six days a week. The pay was not worth the bad feeling she had about leaving her children at home, most times alone. Because she cannot afford to send her daughters to private school, she or her cousin, Martin, stay at home to watch them. Occasionally her daughters do attend some classes at one of the Catholic church schools, but for the most part, they must rely on Elizabeth and Martin for their education. The local Anglican church and Southern Sudanese friends are the only regular source of support for the family of four.

"I don't want to be here in Egypt because my life here...is a difficult [one]. The life of the woman without a husband, and kids without him, is a difficult life because I don't get help from anywhere and I don't have any job. If [it were] not [for the] brothers (male relatives and male friends who chip in money to help Elizabeth make ends meet), I don't know what I could do; [for example,] someone will bring one pound for my kids to buy chips (crisps), to buy food, to buy anything. So, my life here is a difficult life. If I could get a visa to go anywhere, it would be better for me."

"I need help [in getting a] visa because if I got [one] this would be better for me, and should be a big help for me because if I went out [of Egypt] my kids would find an education, and I would find a

job, and...a good life." Elizabeth has lived through devastation. She is ready to raise her daughters by herself in a foreign continent. In particular she has mentioned hopes of going to the United States, Canada, or Australia. She knows the ravages of war all too well, and has faced severe discrimination in Khartoum and Egypt. She does not want her daughters to live through what she has. With no foreseeable end to the problems in Southern Sudan, nor with any prospects for a happy life in Egypt, she has committed herself to doing whatever it takes to escape, and make a new life for herself and her daughters.

Only Mrs. Nhial Deng asked me to specifically describe her circumstances. She told me in the very beginning that she wanted her situation to be documented -even if only by a student- in the hope that it would lead to something beneficial for her and her daughters.

Addendum

Elizabeth is now living safely in California (San Diego) with her three daughters. After moving around in Egypt -frequently staying at places for only weeks or days at a time- for roughly eighteen months, she struck gold when she was able to secure an interview with Catherine, whose work deals with immigration, at the American embassy in Cairo. Previously, all her attempts at meeting with Catherine ended at the front door of the American embassy as she was always turned away by the security guards. This time, however, was different, as she just came in off the street, with no appointment, inquired about, and was granted a

meeting, right then and there, with Catherine. Several days after her meeting with Catherine, Elizabeth was given an interview at the UNHCR office in Cairo (Mohandessin). After several interviews with the UNHCR and the Red Cross, it was determined that she should qualify for "Refugee" status. Once her status was confirmed, she was given a loan to purchase four airplane tickets to fly from Cairo to New York City. She came to the United States under the sponsorship of a Catholic organisation in Jersey City, New Jersey. After spending a couple of months in Jersey City (N.J.), where Elizabeth obtained certification as a caretaker,[499] she moved with her daughters to San Diego to live with her aunt. It is now in California where Elizabeth hopes to begin a new life for herself and daughters.

[499] The nursing certificate she obtained in Sudan is not valid in the United States.

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